



## NOTICE/AGENDA

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### **COUNCIL MEETING NOTICE/AGENDA**

POSTED AT: [www.scdd.ca.gov](http://www.scdd.ca.gov)

**DATE:** November 29, 2018

**TIME:** 10:00 AM – 5:00 PM

**MEETING LOCATION:**

Crowne Plaza Sacramento Northeast  
5321 Date Avenue  
Sacramento, CA 95841

**COUNCIL CHAIR:**

Sandra Smith

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**Item 1. CALL TO ORDER**

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**Item 2. ESTABLISH QUORUM**

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**Item 3. WELCOME AND INTRODUCTIONS**

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**Item 4. PUBLIC COMMENTS**

*This item is for members of the public only to provide comments and/or present information to the Council on matters not on the agenda. Each person will be afforded up to three minutes to speak. Written requests if any, will be read aloud*

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A. Executive Committee	
B. Administrative Committee	
C. Legislative & Public Policy Committee	
D. Employment First Committee	
E. Statewide Self-Determination Advisory Committee	
F. Nominating Committee	
G. Self-Advocates Advisory Committee	
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### **Accessibility:**

Pursuant to Government Code Sections 11123.1 and 11125(f), individuals with disabilities who require accessible alternative formats of the agenda and related meeting materials and/or auxiliary aids/services to participate in this meeting should contact (916) 263-7919. Requests must be received by 5 business days prior to the meeting.

### **Materials:**

Meeting documents and presentations for an agenda item must be submitted to SCDD no later than 2 business days prior to the meeting.

*A call-in phone line will be available so that members of the public can call in and listen to this meeting, provided there are no unforeseen technical difficulties or other limitations. The meeting will not be cancelled if the call-in phone line is not available. If you wish to participate or to have a guaranteed opportunity to observe and participate, please plan to attend at a physical location*

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**APPROVAL OF  
SEPTEMBER 2018  
MINUTES**



**DRAFT**

**Council Meeting Minutes  
September 18, 2018**

**Members Present**

Alfredo Rubalcava (FA)  
Andrea Vergne (FA)  
Barbara Boyd  
Catherine Blakemore  
Charles Nutt (SA)  
Chisorom Okwuosa  
David Pegos (FA)  
Diane Ambrose (FA)  
Eric Gelber  
Francis Lau (FA)  
Jacqueline Nguyen (FA)  
Janelle Lewis (FA)  
Jeana Eriksen (SA)  
Julie Austin (FA)  
Kilolo Brodie (FA)  
Kris Kent  
Maria Marquez (SA)  
Matthew Lagrand (SA)  
Peter Harsch  
Robert Taylor (SA)  
Sandra Aldana (SA)  
Sandra Smith (FA)  
Sarah Eberhardt-Rios  
Stephen Bell (FA)  
Wesley Witherspoon (SA)

**Members Absent**

Kimberly Risser (SA)  
Larry Yin  
Olivia Raynor  
Pete Sanchez (FA)  
Robin Hansen

**Others Attending**

Aaron Carruthers  
Chris Arroyo  
Cindy Smith  
Darin Lounds (LHA)  
David Grady  
Dena Hernandez  
Doug Sale  
Holly Bins  
Ian Nevarez (LHA)  
Jana Chapman-Plon  
Karen Mulvany  
Lisa Hooks  
Kevin Lee  
Mary Ellen Stives  
Nicole Patterson (DDS)  
Patty Evans (LHA)  
Riana Hardin  
Ruby Villanueva  
Sarah May  
Sarah Wasiak  
Scarlett VonThenen  
Sheli Wright  
Sheraden Nicholau  
Sonya Bingaman  
Steven Shum  
Tamica Foots-Rachal  
Yolanda Cruz

**1. CALL TO ORDER**

Council Chair Sandra Smith (FA) called the meeting to order at 10:23 AM.

**2. ESTABLISH QUORUM**

A quorum was established.

3. **WELCOME AND INTRODUCTIONS**

Councilmembers and others in attendance introduced themselves.

4. **PUBLIC COMMENT**

None.

5. **APPROVAL OF JULY 2018 MINUTES**

**Action 1**

It was moved/seconded (Witherspoon [SA]/Marquez [FA]) and carried to approve the July 31, 2018 minutes. (See page 6 for the voting record of members present.)

6. **CHAIR REPORT**

Council Chair Sandra Smith (FA) reported her activities since the July Council meeting. Her report included details of her work with the Executive Committee team preparing for the closed session. Chair Smith also spoke of the Fundamentals trainings that Councilmembers participated in, and asked for a moment to remember those who were lost in developmental centers.

7. **EXECUTIVE DIRECTOR AND STAFF REPORTS**

Executive Director Aaron Carruthers provided a written report to members that outlined accomplishments this past year including: SCDD exiting high risk status, Council being recognized as "Employer of the Year", and having our work reach 2.5 million Californians. Executive Director Carruthers also highlighted the newspaper insert in the Sacramento News & Review, and provided a legislative update.

Staff reports were made available in the packet.

8. **CHAIR AND VICE CHAIR ELECTIONS**

Per the process selected by Councilmembers which states, ". . . Appoint by Majority Vote a Chair and Vice Chair at the September meeting," candidates were considered as follows (in alphabetical order):

**Chair**

Jeana Eriksen

Matthew Lagrand

Sandra Smith

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**Legend:**

SA = Self-Advocate

FA = Family Advocate

Vice Chair  
Charles Nutt

An election was held separately for each office. The election for Chair was held first. Following member statements by the candidates for Chair, a public vote was taken. Chair Sandra Smith won the majority vote for Chairperson with nineteen (19) votes, Councilmember Matthew Lagrand followed with five (5) votes, followed by Councilmember Jeana Eriksen with zero (0) votes.

Following a member statement by the candidate for Vice Chair, Councilmember Charles Nutt won the majority vote for Vice Chairperson with twenty-four (24) votes.

9. **CLOSED SESSION – PERSONNEL**

The Council went into closed session.

10. **RECONVENE OPEN SESSION**

Pursuant to Government Code Section 11126.3 (f), the Council reported that there was no reportable action taken in closed session.

11. **EFC AND LPPC RECOMMENDED POLICY PRIORITIES FOR 2019-2020**

Council Chair Sandra Smith and Deputy Director of Policy Cindy Smith presented on the 2019 – 2020 policy priorities for the Employment First Committee (EFC) and Legislative and Public Policy Committee (LPPC).

EFC priorities:

- Increasing competitive integrated employment (CIE) vendor capacity and business models
- Bringing individual and family advocates to the table for discussion on how to implement CIE
- CIE Blueprint Local Partnership Agreement (LPA) development and implementation

**Action 2**

It was moved/seconded (Nutt [SA]/Eriksen [SA]) and carried to approve the EFC recommended policy priorities for 2019-2020. (See page 6 for the voting record of members present.)

**LPPC Priorities:**

- Goal 1: Self-Advocacy
- Goal 3: Housing
- Goal 6: Formal and Informal Supports

**Action 3**

It was moved/seconded (Nutt [SA]/Bell [FA]) and carried to approve the LPPC recommended policy priorities for 2019-2020. (See page 6 for the voting record of members present.)

**12. APPROVAL OF INCREASED FUNDING FOR THE 2017-18 BUDGET**

Executive Director Aaron Carruthers presented an updated budget for FY 17-18 based on the additional funds received from the Federal government. In addition, since the 2017-18 budget was approved in May, spending has gone down in several areas. Originally the Council planned for a budget deficit that would draw on the prior year unexpended savings. The additional Federal funds have resulted in a budget surplus of approximately \$299,000. The updated budget reflects the surplus and has allocated funds accordingly.

**Action 4**

It was moved/seconded (Nutt [SA]/Witherspoon [SA]) and carried to approve the increased funding for the 2017-18 budget. (See page 6 for the voting record of members present.)

**13. CYCLE 40 DELIVERABLE: STRATEGIC HOUSING FRAMEWORK AND HOUSING PANEL**

The following panelists presented a draft of the Strategic Housing Framework:

- Darin Lounds, Vice President of the Lanterman Housing Alliance (LHA); Executive Director Housing Consortium of the East Bay
- Ian Nevarez, Administrator of the LHA; HOPE Manager of Community Relations
- Patty Evans, LHA Project Coordinator

- Steven Shum, the Project's Lead Consultant; Associate Director, Corporation for Supportive Housing

The Strategic Housing Framework is a deliverable by the LHA for the Cycle 40 grant. Councilmembers were given the opportunity to ask clarifying questions, and were informed the draft would be posted for public feedback.

### **Action 5**

It was moved/seconded (Nutt [SA]/Witherspoon [SA]) and carried to approve the draft of the Cycle 40 deliverable: Strategic Housing Framework. (See page 6 for the voting record of members present.)

#### **14. STATEWIDE SELF-ADVOCACY NETWORK REPORT**

Councilmembers were directed to review the Statewide Self-Advocacy Network Report in the Council Packet.

#### **15. COMMITTEE REPORTS**

Councilmembers were directed to review Committee meeting minutes located in either the Council packet or provided as handouts for the following committees:

- A. Executive Committee
- B. Legislative & Public Policy Committee
- C. Membership Committee
- D. State Plan Committee
- E. Self-Advocates Advisory Committee

#### **16. ADJOURNMENT**

The next meeting is on November 29, 2018 at the Crowne Plaza Hotel in Sacramento. The meeting was adjourned at 4:45PM.

Name	Action 1	Action 2	Action 3	Action 4	Action 5
Aldana, Sandra	For	For	For	For	For
Ambrose, Diane	For	For	For	For	For
Austin, Julie	For	For	For	For	For
Bell, Stephen	For	For	For	For	For
Blakemore, Catherine	For	DNP	DNP	DNP	DNP
Boyd, Barbara	For	Abstain	Abstain	For	For
Brodie, Kilolo	For	DNP	DNP	DNP	DNP
Eberhardt-Rios, Sarah	For	DNP	Abstain	For	DNP
Eriksen, Jeana	For	For	For	For	For
Gelber, Eric	DNP	For	For	For	For
Harsch, Peter	For	For	For	For	For
Kent, Kris	For	For	Abstain	For	For
Lagrand, Matthew	For	For	For	For	For
Lau, Francis	For	For	For	Abstain	For
Lewis, Janelle	For	For	For	For	For
Marquez, Maria	For	For	For	For	For
Nguyen, Jacqueline	For	For	For	For	For
Nutt, Charles	For	For	For	For	For
Okwuosa, Chisorom	DNP	For	For	For	DNP
Pegos, David	For	For	For	For	DNP
Rubalcava, Alfredo	For	For	For	For	For
Smith, Sandra	For	For	For	For	For
Taylor, Robert	Abstain	For	For	For	For
Vergne, Andrea	For	For	For	For	For
Witherspoon, Wesley	For	For	For	For	For

DNP = Did Not Participate / Not Present

Legend:  
SA = Self-Advocate  
FA = Family Advocate

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# **STAFF REPORTS**



## **Deputy Director of Administration Report November 29, 2018**

The Deputy Director of Administration exercises broad policy-making authority over the SCDD's administrative functions including: personnel, fiscal, contracts, information technology and customer services to fulfill the strategic goals of the SCDD. Below is a summary of activities since the last Council meeting on September 18, 2018.

### **Policy**

- Continued to work with the Administration Committee and Executive Committee as well as Department of Social Services (CDSS) Legal and SCDD's new attorney on the Administrative Policies and Procedures Manual in preparation for the November 29, 2018 Council meeting.

### **Fiscal/Administrative**

- Continued working with CDSS Information Technology, Telecom, Business Services, SCDD Headquarters and Regional Office staff to inventory existing computer hardware, software, telephone and mobile devices and to assess the age of these devices to develop a plan for replacing them on a regular basis.
- Continued working with CDSS Business Services staff to identify Regional Offices that are up for lease renewal and to develop timelines for negotiation and execution of new lease agreements.
- Provided the Executive Committee, Administrative committee and Council with enhanced monthly and year-to-date expenditure data through the first quarter of State Fiscal Year 2018/19.
- Worked with Chair Smith, the Attorney General legal counsel, SCDD legal counsel and Personnel Officer, and the Health & Human Services Agency to complete the 2017/18 Executive Director performance evaluation.
- Continued supervision of the Quality Assurance and Clients' Rights Advocacy/Volunteer Advocacy Services programs with close collaboration

with DDS.

- Attended the QA staff meeting on October 12th.
- Continued to meet with CDSS information technology managers and staff to provide IT support to Council staff statewide.
- Acted for the Budget Officer directing critical SCDD budget functions while the Budget Officer was on extended medical leave.

## **Personnel**

- Continued to work with the Executive Team and Personnel Officer on the organizational structure of the Policy and Public Affairs Branch and Regional Office Operations Branch and continued with the recruitment of staff to support the new organizational structure.
- Attended the monthly Regional Managers meetings with the Deputy Director of Regional Office Operations and Regional Managers.
- In coordination with Executive Team, continued to address on-going training and personnel needs.
- Continued working with the Personnel Officer and Deputy Director of Regional Office Operations to discuss reclassifying all Office Technicians stationed in the Regional Offices to the Program Technician classification or equivalent classification that would provide them with an upward mobility pathway within the organization.
- Approved SCDD's annual bilingual language survey and submitted it to CalHR.
- Worked with the Personnel Officer to provide requested information to the State Personnel Board for their human resources program compliance review, which occurs every three years for all state departments.



**Report from Deputy Director, Policy and Public Affairs  
September 18, 2018 – November 9, 2018**

- Supported Sequoia and Bay Area Regional Offices to testify at Select Committee on Intellectual and Developmental Disabilities. Attended hearings in Fresno and Concord. Met numerous times with Assemblymember Frazier's office regarding hearings and next session. Provided support to other offices to follow-up with Members in attendance at hearings.
- Prepared for and/or staffed meetings of Legislation and Public Policy Committee and Employment First Committee (EFC). Coordinated presentation of Workforce Board to EFC. Coordinated with Deputy Director Vicki Smith to finalize a strategic plan for SCDD's policy activities for 2019-2020. Began process of drafting language and talking to stakeholders about possible proposals.
- Coordinated call with DSS regarding SSI/Cal-Fresh roll-out. Represented SCDD at Olmstead Advisory Committee and California Coalition for the Employment of Persons with Disabilities.
- Met with Disability Rights California numerous times to discuss shared priorities in 2019-2020. Coordinated letter to DDS from DRC and SCDD regarding the implementation of the HCBS Settings Rule.
- Represented SCDD at meeting of the Lanterman Coalition. Represented SCDD at meeting of Hate Crimes Coalition.
- Represented SCDD on NACDD Public Policy Committee calls. Provided input on priorities.
- Directed development of new policy related materials for SCDD during 2019-2020. Currently being designed by DSS.
- Directed development of, and provided input on SSAN membership and reviewed materials for SAAC and SSAN meetings.
- Provided input into annual reporting of state plan and work plan submissions for federal reporting. Directed workplan development for policy related goals and objectives.
- Worked with Director and other Deputy Directors to coordinate hiring and interviewing for other positions including the Public Information Officer.



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**REPORT FROM**  
**Vicki L. Smith**  
**DEPUTY DIRECTOR, REGIONAL OFFICE OPERATIONS**  
**TIME PERIOD: September 01, 2018 to October 31, 2018**

The Deputy Director of Regional Office Operations (DDROO) provides leadership and supervision to the twelve (12) SCDD regional offices and to the Manager of State Plan and Self-Advocacy, as well as providing staff support to the State Plan Committee.

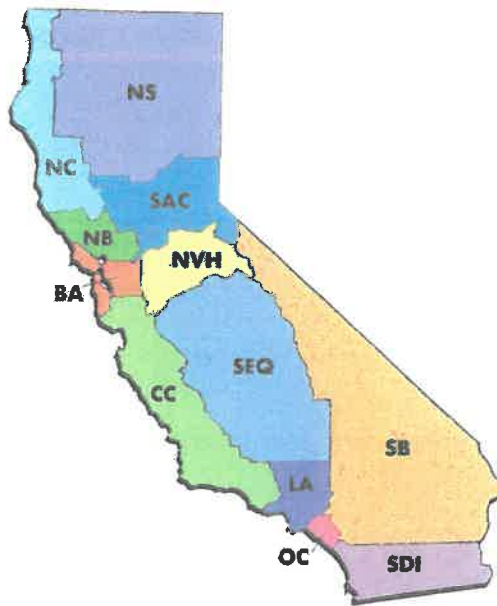
**Regional Office Operations:**

- The twelve regional SCDD offices: Managers, as well as all other parties that work directly on the State Plan activities worked in teams to develop the draft of the 2019-2021 Work Plan (the detailed activities that staff carries out to implement the Goals and Objectives that the Council has identified in the State Plan). That process incorporated the direct input from the community through the Portrait of Services completed by each office and their respective Regional Advisory Committees. It also incorporated the priorities from both the Employment First Committee and the Legislative and Public Policy Committee of the Council. Thank you to both of those committees for allowing us to do strategic planning with them to assist us in incorporating those priorities.
- We are currently recruiting for the following regional office vacancies: North Valley Hills (AGPA/Community Program Specialist II (BSG)); Los Angeles Regional Office (AGPA/Community Program Specialist II (BSG/QA), and; North Coast Regional Office (Office Technician (BSG/QA)).

**State Plan and Self-Advocacy Team:**

- I am extremely pleased to announce Rihana Ahmad as the Manager of the State Plan and Self-Advocacy team at Headquarters. The State Plan group is made up of two analysts (Janet Fernandez and Sarah Wasiak) and the Self-Advocacy team has one analyst (Riana Hardin). The State Plan group compiles the data and prepares the State Plan reports for submission to AIDD and the Self-Advocacy Coordinator provides support to both the Self-Advocacy Advisory Committee (SAAC) and the Statewide Self-Advocacy Network (SSAN) project of the SCDD. Ms. Ahmad will supervise this team under the Deputy of Regional Office Operations.

*Respectfully Submitted: Vicki L. Smith, Deputy Director, Regional Office Operations*



**Highlights of State Plan Activities (full version posted at [www.scdd.ca.gov](http://www.scdd.ca.gov))**  
**REGIONAL OFFICE AND HEADQUARTER ACTIVITIES FOR:**

<b><u>REGIONAL OFFICE (RO)</u></b>	<b><u>MANAGER</u></b>
North Coast (NCRO)	Sheli Wright
North State (NSRO)	Sarah May
Sacramento (SACRO)	Sonya Bingaman
North Bay (NBRO)	Lisa Hooks
Bay Area (BARO)	Sheraden Nicholau
North Valley Hills (NVHRO)	Dena Hernandez
Central Coast (CCRO)	David Grady
Sequoia (SEQRO)	Yolanda Cruz
Los Angeles (LARO)	Christofer Arroyo
Orange County (OCRO)	Scarlett VonThenen
San Bernardino (SBRO)	Tamica Fouts-Rachal
San Diego/Imperial (SDIRO)	MaryEllen Stives

\*SA=Self-Advocate FA= Family Advocate OTH= Other/Professional ORG = Organizations\*

*Respectfully Submitted: Vicki L. Smith, Deputy Director, Regional Office Operations*

**GOAL #1.1: The Council will increase knowledge about self-determination and person-centered planning by monitoring, supporting and actively engaging in the implementation of the Self-Determination Program.**

- SCDD staff provided a training in a 90-minute breakout session in Spanish at Fiesta Educativa's 40th Annual Statewide Conference in Los Angeles for 53 attendees on Person Centered Planning. This topic was presented at the request of Fiesta Educativa because they had noted a great demand for such a training for their constituents and because SCDD Los Angeles staff were uniquely suited and skilled to do it. Content included topics such as defining person centered planning (PCP), how it relates to IPPs, IEPs, and self-determination; how it can be used now; who develops it; understanding how PCP is different from traditional system-centered planning; and how it is developed and used for services. A survey was administered after the presentation which indicated attendees believed they were more likely to improve their advocacy. (SA=2, FA=45, OTH=6)

**GOAL #1.2: The Council will promote self-advocates in leadership roles in statewide networks a) through the strengthening of a statewide self-advocacy organization and by supporting self-advocates; b) within cross-disability leadership coalitions; and c) in training other self-advocates to become leaders.**

- SCDD worked with California Memorial Project- STOCKTON each year people who lived and died at developmental centers across California are remembered and honored through a ceremony. On 9/17/18 at the Stockton Rural Cemetery- Staff provided technical assistance at the ceremony by coordinating supplies needed for event such as chairs, canopy's, coolers and speaker transportation. The event went well and had around 75 people (Self Advocates, Family Advocates and others) in attendance. California Memorial Project- MANTECA. On 9/17/18 at the Parkview Cemetery in French Camp- Staff provided technical assistance at the ceremony. Valley CAPS (a day program) self-advocates organized this event at this location. VMRC and Disability RIGHTS was there and spoke briefly at the event. The Valley CAPS self-advocates recited prayers and sang. All the people at the event also laid flowers down on the gravestone to honor those buried there. This was the 16th Annual Remembrance Ceremony and SCDD NVH has been on the planning teams for all of those years! (SA=125, FA=10, OTH=10)

**GOAL #2.1: The Council will increase and promote culturally competent strategies and resources that facilitate competitive, integrated employment (CIE) of people with I/DD.**

- SCDD in partnership with IBM and the Job Accommodation Network, hosted the JAN Academy: Normalizing Workplace Accommodation through Tools, Technologies and Technologies. Attendees heard introductions by MC, BARO, heard an opening speech from DOR's Director Xavier, went through a multi-section training, and at the end of the academy, heard closing statements by Assemblymember Bonta. Attendees included job seekers with disabilities, advocates, employees with disabilities, hiring managers, business owners, HR

*Respectfully Submitted: Vicki L. Smith, Deputy Director, Regional Office Operations*

professionals, and employment service providers. See attachment for materials. (PM 1.3.2)  
(SA=25, FA=10, OTH=31)

**GOAL #2.2: The Council, in consultation with its federal partners, will increase identification, advocacy and/or sponsorship of legislative, regulatory, policy, procedure and/or practice changes to increase CIE for people with I/DD.**

- None Reported

**GOAL #3.1: The Council will work with housing entities to increase the development and/or provision of community housing for people with I/DD.**

- SCDD staff has been working with Learning Rights Law Center -- a special education public interest law firm that represents individuals on a pro bono basis and works with underserved communities to expand capacity, train families, and increase access to needed special education services -- to host, participate, and teach as part of their TIGER program. The TIGER program (Training Individuals for Grassroots Education Reform) trains individuals through beginner, intermediate, and advanced courses that lasts 11 months and totals approximately 35 hours of training. Homework is assigned and graded, a curriculum is created and followed, and participants are expected to participate, thrive, and learn about all aspects of special education and services for individuals with developmental disabilities. SCDD staff taught an "Advanced Plus" course, for topics which LRLC does not possess the expertise. Over 60 participants will learn about topics such as policies, resources, and services impacting special education, regional center, transition services, and adults services; how to read and understand bills, the Governor's Proposed Budget, and proposed regulations; person centered planning; disparities in the regional center system. Classes are presented in English and simultaneously translated in Spanish; if no English speakers are present, the class is held in Spanish. LRLC provides the structures, trainees, simultaneous translation services, translation of course materials, refreshments, and snacks while SCDD provides the training, expertise, subject content, materials, and operations during class time. (SA=2, FA=19, OTH=2)

**GOAL #3.2: The Council will identify and decrease barriers to housing for people with I/DD.**

- SCDD staff attended the Humboldt County Human Rights Commission. The discussion focused on the de-criminalization of homelessness and an influx of funding (\$5,000,000) coming to the community for housing the homeless, those with mental health issues and low-income families. A housing task force was put together to look into the way the funds were marked to be spent. Staff provided 20 "SCDD Brochures" and gave input regarding the need for housing to include people in the intellectual and developmental disabilities community. (OTH=12)



**GOAL #3.3: The Council, in consultation with its federal partners, will increase identification, advocacy and/or sponsorship of legislative, regulatory, policy, procedure and/or practice changes to increase housing for people with I/DD.**

- SCDD worked with the Lanterman Housing Alliance to discuss goals and set a strategic plan to work with developers in the Central Valley along with Central Valley Regional Center. They assisted with coming up with clear and concise goal and mission statement so that we can speak with developers about the need for housing for people with developmental disabilities. (OTH=3)

**GOAL #4.1: The Council and its federal partners will increase knowledge and awareness for people with I/DD and their families about the availability of and access to health and public safety-related services and supports.**

- SCDD staff conducted the final session of the eight-week course on health and wellness. The curriculum used was "Partnerships in Wellness" from the Institute on Community Integration-University of Minnesota. The focus of the curriculum utilized a wellness wheel divided into four sections and the four areas are: food and drink, social support, feelings and physical activity. During each session every participant was responsible for signing themselves in, an optional weigh in, bringing their notebook and participating in the discussion and activities, which everyone did willingly. During the 8th session the group continued to be actively involved in the discussion on what wellness is and what it means to them; identifying who their social supports are; managing their emotions and feeling; strategies and ways to incorporate more activity into their life and nutrition and learning about My Plate. As a final activity the group played a game of Jeopardy which was very helpful in providing a review of the content that had been covered during the previous 7 weeks. As a celebration for completing the class the group decided to have a pot luck luncheon of healthy food items. Several self-advocates worked with either their day program or family members to make items to share at the luncheon. Certificates of Completion were given to all attendees. The group had very positive feedback regarding the class and reported they feel they are making positive changes in their lives. Based on the success of the class and the engagement of the participants, SCDD staff invited five of the past students to return as co-teachers during the next session and they all are planning to attend. (SA=15, FA=0, OTH=5)

**GOAL #4.2: The Council, its federal partners, and self-advocates will increase information and training to law enforcement, court personnel, health care providers, and/or other care professionals about disability-related health and safety issues.**

- SCDD worked with CalOptima Community Alliances Forum Understanding I/DD training - staff conducted a training on "Navigating the Intellectual/Developmental Disabilities Service System and Accessing Services" to 150 healthcare and related providers at the Delhi Center in Santa Ana. This training covered a brief disability history timeline, available services, systems navigation strategies, and provider tips. The OCRO is a committee member on the

*Respectfully Submitted: Vicki L. Smith, Deputy Director, Regional Office Operations*

Community Alliances Forum, so in addition to conducting the presentation, staff also assisted with set-up for the event, as well as the planning that went into it. This training was part of a panel presentation of experts that included the RCOC Chief Medical Officer, CalOptima's Whole Child Model Medical Director, a parent professional, as well as the Executive Councilmember from Family Voices of California. Following the training, several participants approached staff to inform her of how valuable the information was and the strategies so that they can better help the families they serve. CalOptima conducted a post survey and results are pending at this time. Funds leveraged are approximately \$5,000 for use of Delhi Center space, A/V equipment, food, and reproduction of materials. (OTH=150)

**GOAL #4.3: The Council, in consultation with its federal partners, will increase identification, advocacy and/or sponsorship of legislative, regulatory, policy, procedure and/or practice changes to increase accessibility to health care and public safety services for people with I/DD and their families.**

- SCDD participated in the CalOptima Member Advisory Committee (MAC)/Provider Advisory Committee (PAC). SCDD staff met with CalOptima, MAC, OneCare Connect MAC and PAC delegates to determine the joint meeting agenda topics for the joint MAC/PAC meeting to be held on October 11, 2018. Discussion ensued regarding the CalOptima Board request for recommendations from the committees regarding the 10% cap on CalOptima's Network auto-assignment as well as a possible consultant to evaluate the provider network strategy and these items have been added to the agenda. The subcommittee members were from CalOptima, SCDD Orange County, Alzheimer's Orange County, Monarch Healthcare, Susan G. Komen, and CHOC Children's. The Member Advisory Committee and Provider Advisory Committee both review information presented by CalOptima regarding budget, programs, and systems and provide feedback and concerns to management and their Board of Directors, as appropriate for resolution and optimization of medical provision to the Orange County community. (OTH=16)

**GOAL #5.1: The Council and its federal partners will increase knowledge and awareness of developmental milestones and intervention services for families of young children and professionals.**

- SCDD staff provided training at Escuela de la Raza Unida in Blythe, CA for parents. As part of the Project Leadership series in collaboration with Family Voices of California and the Early Start Family Resource network, the goal of the training is to educate parents in the identification of early intervention services and increase their advocacy in the special healthcare needs of their children. As leaders in their community, they are trained in the history of advocacy, so that they can identify and understand important legislative policies, participate in advocacy in their local communities and receive supports so that they can address their own action plans to impart systems change and improve services. Further, they are part of a parent network of advocacy that will receive ongoing support from the collaborators of this training series, so that they will be supported in their advocacy in the

*Respectfully Submitted: Vicki L. Smith, Deputy Director, Regional Office Operations*

future. This session focused on systems laws and entitlements for children with disabilities and their families. During the training, participants learned to define the differences between laws, statutes, regulations and entitlement programs. They also were educated on the branches of government, policies and demonstrate their learned knowledge of public systems for children, the mechanism for funding of these programs and the agencies responsible for implementing services. This was session 2/7 in the series. Participants were also tested on their knowledge throughout the training through activities that tested their knowledge, sharing their stories and a survey. Incentives were leveraged in the amount of \$100 for the participants of this program to assist with gas, and they were provided with supplies to assist them in documenting their advocacy with a personal action plan that they will work on throughout the training. Incentives were provided by the Early Start Family Resource Network. (FA=2, OTH=1)

**GOAL #5.2: The Council, in consultation with its federal partners and other stakeholders, will increase awareness and knowledge for families and self-advocates about the availability of and access to services which support inclusive education.**

- SCDD staff provided information on inclusion (Equality vs Equity; Benefits of Inclusive Classrooms) at the Multi-SELPA Legal Professional Development Series. SCDD staff provided an update on recent legal decisions that are shaping educational practices across Calif. With Multi-Tiered System of Support (MTSS) through collaborative and inclusive practices, understanding the current trends changing how we serve students with disabilities is paramount in building an improved system of supports and services. (SA=0, FA=20, OTH=130)

**GOAL #5.3: The Council, in consultation with its federal partners and in collaboration with educators and stakeholders, will increase information and technical assistance to prepare and empower students, families and professionals in developing individualized transition plans that lead to employment, post-secondary education &/or independent living options & opportunities.**

- SCDD staff participated in the regular meeting of the Orange County Adult Transition Task Force (OCATTF) at Newport Mesa Unified School District, Harper Campus in Costa Mesa, CA. OCATTF is a collaboration where leaders from education, business, service agencies and family advocacy groups come together to share resources and address programming concerns specific to the successful transition of individuals with disabilities from school to work and community living. SCDD staff promoted the upcoming "SSI Benefits & Appeals" and October SSI Professional Training by M. Walling events. In addition to dedicated resource sharing during the meeting, the following Orange County resources and programs presented: Social Security WIPA Presentation from DOR, RCOC Paid Internship Program, DOR Student Services, and Orange County LPA updates. The next meeting will take place in November 2018 in Saddleback Valley School District. (OTH=44)

**GOAL #5.4: The Council, in consultation with its federal partners, will increase identification, advocacy and/or sponsorship of legislative, regulatory, policy, procedure and/or practice changes to increase access to quality education services throughout the lifespan for people with I/DD.**

- SCDD met with a Contra Costa Co School Board Trustee and family advocate / community organizer to review potential next steps in advocacy and educational outreach for students and families in areas of SPED services, rights, processes, and timelines. This group recapped the success of the recent presentation to the School Board the month before, and where the interests were expressed by trustees and members of the public regarding how to best utilize the momentum of the SPED and Beyond series. This includes another series of workshops, potentially a series of webinars, and technical assistance clinics. Also, this group discussed trending and recent examples of how institutional racism and racial, disability and intersectional politics can impact progress and projects addressing barriers and gaps within any system. (FA=2, OTH=1)

**GOAL #6.1: The Council, in collaboration with our federal DD partners, will reduce service access barriers and decrease the disparity in available information, which describes services and supports that may be purchased throughout California's Regional Center system, by translating and providing that information in Spanish and tracking statewide POS disparity data for Spanish-speaking self-advocates and families.**

- SCDD completed the first draft in Q&A format of all Regional Center Funded Purchase of Services by Service Code, including description of services identified in the Federally-Approved Self-Determination Waiver. Will meet with Federal Partners on project for review and next steps.

**GOAL #6.2: The Council will increase the knowledge and skills of people with I/DD to move from institutional to community settings and to increase their ability to self-advocate.**

- SCDD staff facilitated a self-advocacy group meeting at the Canyon Springs Community Facility in Cathedral City. At the self-advocacy group meeting, staff provided a training to all attendees about Emergency Disaster Preparedness, how to create a "Go Bag" of important items to take if you needed to evacuate, facts about how best to survive during a flash flood, wild fire and/or earthquake, how to locate the evacuation site in your area, how to notify local emergency personal that an individual with a disability resides at their home address and how to get set up for reverse 911 on house and cell phone. Also, the training provided self-advocates with tips and information on how to prepare and protect yourself if/when an emergency happens. The site was provided (1) red folder which contained the DDS Feeling Safe, Being Safe (FSBS) personal safety information brochure, FSBS DVD on how best to prepare for various types of emergencies, FSBS large refrigerator magnet of emergency numbers, SCDD important items to list to go into an emergency kit/"Go Bag", SCDD Five "P's" of Evacuation, SCDD Emergency Preparedness Tips and Resources, and a flyer for the Great Shake Out. (SA=18, FA=0, OTH=8)

*Respectfully Submitted: Vicki L. Smith, Deputy Director, Regional Office Operations*

**GOAL #6.3: The Council will increase outreach, training, and technical assistance to improve the quality of and access to services, including (but not limited to) Regional Centers, education, transportation, public benefits, child care, and recreation for people with I/DD and their families.**

- SCDD Staff Participated in the Bay Area Rapid Transit (BART) Accessibility Taskforce (BATF) meeting. Staff gave feedback on the station hardening presentation and got clarification on how the stations with elevators outside the paid area will incorporate them into the paid area in difficult locations such as Bayfair BART. Staff also volunteered to test the new BART mobile app and give feedback on the ease of use. (SA=18, OTH=12)

**GOAL #6.4: The Council, in consultation with its federal partners, will increase identification, advocacy and/or sponsorship of legislative, regulatory, policy, procedure and/or practice changes to increase access to quality community-based services for people with I/DD and their families.**

- SCDD staff met with Senator Holly Mitchell (Chair of the Senate Budget Committee's Human Services Subcommittee) and her field staff in order to educate the Senator about the need for the restoration of social and recreational services in the Lanterman. The need exists because such services were available before cost savings measures were implemented in 2009 and self- and family advocates have indicated that the restoration of such services are essential to ensuring their needs are fulfilled. SCDD Los Angeles staff were part of a collaborative effort to educate Senator Mitchell, which included self-advocates, family advocates, and agencies such as the Autism Society of Los Angeles, Disability Voices United, the Miracle Project, EC Kids Fitness and Nutrition, Kaiser Permanente, and other local organizations. The Senator indicated her support of the restoration of social and recreational programs and provided feedback in terms of additional strategies to educate her colleagues. (SA=18, FA=30, OTH=6)

# Clients' Rights Advocate / Volunteer Advocacy Services

## SCDD AT WORK INSIDE THE DEVELOPMENTAL CENTERS

SCDD provides comprehensive clients' rights advocacy services (CRA) and volunteer advocacy services (VAS) for persons with I/DD who are residents of state developmental centers and the state operated community facility through an interagency agreement with DDS.

## Program Staff

### Sonoma DC

Ross Long, VAS  
Michele Sloane, Office Tech  
Tobias Weare, CRA

### Porterville DC

Erika Flores, CRA  
Judi Muirhead, VAS  
Connie Wilson, Office Tech

### Fairview DC

Tanzim Arastu, VAS  
Charles Nguyen, Office Tech  
Laurie St. Pierre, CRA

### Canyon Springs CF

Julie Hillstead, VAS  
Robbin Puccio, CRA

### CRA/VAS Program Manager

Holly R. Bins



Census as of October 31, 2018

Sonoma DC 25

Porterville DC 253

Fairview DC 94

Canyon Springs CF 47

Total 419

Total DC population on  
Sept 28, 1994: 5,713

## Project Activity for September and October 2018

### Sonoma Developmental Center

SDC placed 25 people into the community this reporting period. VAS Coordinator, advocates and CRA attended:

- 5 IPPs and 44 transition meetings
- 11 community placement meetings
- 2 HRC/BMC meetings,
- 4 court appearances
- 2 Regional Project meeting,
- 2 SDC employee trainings

CRA serves all clients in the STAR unit  
Completed annual mandated reporter training

### Porterville Developmental Center

VAS Coordinator, volunteer advocates and CRA attended 6 transition and 6 IPPs. Acting CRA conducted:

- 18 denial of rights reviews,
- 6 escort reviews,
- 8 human rights/behavior review meetings,
- 3 restricted access reviews,
- 4 self advocacy meetings,
- 6 PDC employee trainings,
- 3 hand cuff debriefings,
- 9 court appearances,
- 2 professional group trainings for PDC,
- 1 VAS training

Completed annual mandated reporter training. CRA hired on Oct 1st.

### Fairview Developmental Center

CRA attended following meetings:

- 14 transition meetings
- 16 IPPs or special team
- 4 denial of rights
- 6 employee rights trainings
- 8 acute crisis
- 4 human rights/behavior support
- 2 FDC professional group meetings
- 1 FDC family, friends meeting

CRA serves all clients in the STAR unit.

VAS Coordinator and advocates attended following meetings: 1 IPP, 14 transition, 1 denial of rights, and 30 meetings in the community.

Completed annual mandated reporter training

### Canyon Springs Community Facility

VAS Coordinator and volunteers attended:

- 37 IPP/special team meetings;
- 6 transition meetings;
- 3 self advocacy meeting,
- 2 Human rights/behavior meetings
- 2 court appearances with clients,
- 2 CS employee trainings,
- CRA reviewed 2 denial of rights; 2 human rights/behavioral meetings, 5 highly restricted reviews,
- 10 IPPs, 3 transition mtgs, attended 2 human rights, facilitated 10 self-advocacy meetings, 26 Emerging Risk reviews ; filed 2 Writs, 8 clients in court appearances, provided 7 CS staff trainings
- Completed annual mandated reporter training





## Clients' Rights Advocate and Volunteer Advocacy Services

### Developmental Center Closure Update November 29, 2018

#### *Community Transition Numbers 2018*

2018	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	TOTAL number of transitions to community for year	Oct 31 2018 census
Canyon Springs*	0	1	0	0	1	0	0	1	1	0	3	47
Fairview	3	3	5	2	8	6	2	5	5	5	44	94
Porterville*	4	3	6	5	2	10	1	1	0	5	37	253
Sonoma	15	14	13	18	13	21	18	12	8	17	193	25

*\*Canyon Springs Community Facility and Porterville Developmental Center Secure Treatment Area are not scheduled for closure. The Porterville Developmental Center General Treatment Area is scheduled to close in 2021. Sonoma DC is scheduled to close by December 31, 2018. Fairview Developmental Center is scheduled to close by 2021.*

#### **Developmental Center Closures – Past and Present**

**Facility**  
Sonoma Developmental Center  
located in Eldridge

**Projected Closure Date and Land Use**  
December 31, 2018

Fairview Developmental Center  
located in Costa Mesa

December 2021 (unofficially Oct 2019)

Porterville Developmental Center  
located in Porterville

December 2021 (General Treatment Area only)

Canyon Springs Community Facility  
located in Cathedral City

No proposed closure date

Lanterman Developmental Center  
Agnews Developmental Center  
Sierra Vista Community Facility  
Camarillo Developmental Center  
Stockton Developmental Center

Closed 2014 (Site is now part of Cal Poly, Pomona)  
Closed 2009 (Sold to corporations and City of San Jose)  
Closed 2009  
Closed 1997 (Site is now Cal State Univ, Channel Islands)  
Closed 1996 (Site is now part of Cal State, Stanislaus)

**California Department of Public Health (CDPH) and  
Centers for Medicare & Medicaid Services (CMS)**

Canyon Springs	CDPH surveyed CS in August 2018. No conditions of participation out pending final findings.
Fairview	CMS settlement agreement extended to December 31 2018
Porterville	CMS settlement agreement extended to December 31 2018
Sonoma	CMS notified DDS of cancellation of settlement agreement with SDC on 05/13/2016. ICF units were decertified by CMS as of 07/01/2016.

***Porterville and Fairview Certified Unit Population Projections***

The projections below establish the maximum permissible client census eligible for federal funding in the PDC and FDC certified units as of the first calendar day of the listed month. Federal Financial Participation is only permissible for clients on the Client List as of June 27, 2016. No Federal Financial Participation can be sought for the number of clients that exceed the projections below, even if the clients that exceed the census limits below are on the Client List as of June 27, 2016.

Monthly Census Maximum Per CMS Agreement	Porterville DC – General Treatment Area ICF	Actual ICF Census	Fairview DC ICF	Actual ICF Census
July 2016	105	104	136	128
July 2017	82	80	106	91
July 2018	61	57	57	56
July 2019	39		5	
October 2019			0	
July 2020	18			
July 2021	0			



***SCDD Clients' Rights Advocate (CRA) current observations inside the DC/CF***

Canyon Springs	CRA working with CS staff on accommodation of Desert STAR unit. First admission scheduled for end of November.
Fairview	Inconsistency in implementation in client programs noted as unfamiliar staff float on other units. Increase in restraint use and medication dosage noted. CDPH survey conducted in October. FDC is awaiting written summary.
Porterville	The General Treatment Area is experiencing a dearth in veteran staff as staff transfer to Secure Treatment positions. Office of Protective Services (OPS) conducting searches at Secure Treatment Area due to increase in drug and drug paraphernalia found. CRA working with OPS on appropriate rights protections and denial of rights procedure. CRA hired on October 1.
Sonoma	Community transitions delayed due to lack of staffing for community-based vendors. Lack of familiar SDC staff proves difficult to deliver meaningful IPP information to community vendors. CRA transferred to SCDD Regional Office. VAS Coordinator covering CRA duties for remaining SDC clients until closure. SDC is on target to close in mid-December 2018.

***SCDD Volunteer Advocacy Services (VAS) community transition current trends***

The VAS Project serves approximately 25% of the individuals residing in the DC/CFs. A volunteer advocate or the VAS Project Coordinator provides direct advocacy services for twelve months post placement.

Canyon Springs	VAS is serving two individuals who recently transitioned from CS into supported living. Difficulties noted in adequate housing (house was not complete at time of transfer) and lack of vocational services. CS followed through with acquiring ID cards for clients from the DMV. CS Director provided support for VAS advocates to visit with their clients at mutually agreed upon times.
Fairview	VAS Coordinator and advocates attended fifteen meetings with clients for transition activity. Lack of volunteer advocate notification of incidents involving community-based individuals continues. Two volunteer advocates separated from the project. Coordinator serving those individuals without a volunteer advocate.
Porterville	Transition activity is slowing out of general treatment area. Many community homes are in various stages of construction or awaiting licensing approval. Advocates attended seven transition meetings in the community. VAS program covers extensive service area as people transition to all areas in California from PDC.
Sonoma	Advocates attended eleven transition meetings this period both at DC and in the community. Twenty-five consumers transitioned this reporting period. The lack of available labor impacts the residential and vocational services in the community. Delays noted in placement due to lack of adequate staffing in the community. SDC scheduled to close mid-December 2018. VAS will serve individuals in the community until December 2019.

# Quality Assessment

A PROJECT OF THE STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

[www.scdd.ca.gov/qap](http://www.scdd.ca.gov/qap)

## Adult Consumer Survey Employment Data Brief 2014-2015

The National Core Indicators (NCI) are standard measures used across states to assess the outcomes of services provided to individuals with intellectual/developmental disabilities (I/DD) and their families. Indicators address key areas of concern such as employment, respect/rights, service planning, community inclusion, choice, health and safety. All responses to the surveys are confidential. The aggregated data that results from NCI surveys are often used to inform strategic planning, produce legislative reports, and prioritize quality improvement initiatives.

The following pages provides a closer look at the employment data aggregated for the 2014-2015 ACS cycle. This data brief was presented to the Quality Assessment Advisory Group (QAAG) by UC Davis on September 2018.

For more information on the Quality Assessment Project and National Core Indicators please go to:

[www.scdd.ca.gov/qap](http://www.scdd.ca.gov/qap)

Scan QR  
Code to go  
directly to  
QAP  
Webpage



### QA Coordinator Regional Center Assignments

**Deborah Kindley**  
Support Staff: Theresa Ladao  
Far Northern Regional Center  
North Bay Regional Center  
Redwood Coast Regional Center

**Ron Usac • Angel Wiley**  
Support Staff: Valerie Buell  
Golden Gate Regional Center  
Regional Center of the East Bay  
San Andreas Regional Center

**George Lewis**  
Support Staff: Marigene Tacan-Regan  
Alta California Regional Center  
Central Valley Regional Center  
Valley Mountain Regional Center

**Melody Goodman • Tom Hamlett • Jenny Villanueva**  
Support Staff: Dinah Pio de Roda • Marina Bchtikian  
East Los Angeles Regional Center  
Frank D. Lanterman Regional Center  
Harbor Regional Center  
North Los Angeles Regional Center  
San Gabriel Pomona Regional Center  
South Central Los Angeles Regional Center  
Westside Regional Center

**Nancy Dow**  
Support Staff: Katie Bgatov  
Regional Center of Orange County  
San Diego Regional Center

**Carol Nakamura-Robinson**  
Support Staff: Valarie Macias  
Inland Regional Center  
Kern Regional Center  
Tri-Counties Regional Center

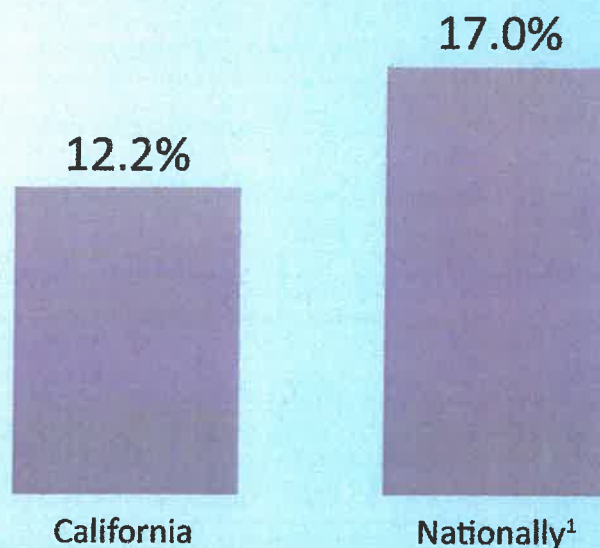
# EMPLOYMENT DATA BRIEF

## 2014-2015

### A CLOSER LOOK AT EMPLOYMENT IN ADULTS WITH DEVELOPMENTAL DISABILITIES USING THE ADULT CONSUMER SURVEY

The California Department of Developmental Services (DDS) uses tools developed as part of the National Core Indicators (NCI) to evaluate the quality of Regional Center services. This data brief summarizes findings relating to employment in the 8,405 people who took the NCI Adult Consumer Survey (ACS) in the 2014-15 fiscal year.

#### 2014-15 California and National Employment Rates in Populations with Developmental Disabilities



#### LEARN MORE

FOR MORE INFORMATION ABOUT THE DEPARTMENT'S QUALITY ASSESSMENT EFFORTS, PLEASE VISIT [WWW.DDS.CA.GOV/QA](http://WWW.DDS.CA.GOV/QA)



Employment rates for individuals with developmental disabilities are lower than those found in the general population<sup>2</sup>. In fiscal year 2014-15, the employment rate for individuals with developmental disabilities in California was 4.8% lower than at the national level<sup>1</sup>. This brief outlines the characteristics of employed individuals in California, which may facilitate a better understanding of these differences.

<sup>1</sup> Reflects NCI national average, which includes 46 states. In California, the working age for individuals with DD is 22-55; at the national level it is 18 and over. <sup>2</sup> Bureau of Labor Statistics, as of 12/2016

**UC DAVIS  
EXTENSION**  
CENTER FOR HUMAN SERVICES



Department of Developmental Services  
"Building Partnerships, Supporting Choices"



## Department of Developmental Services Projects and Policies



**The National Core Indicators (NCI) Project** is a set of surveys selected by DDS in 2009 to monitor California's developmental disabilities service system and assess quality and performance among regional centers. NCI surveys are developed by the Human Services Research Institute, and include both mailed and in-person surveys.



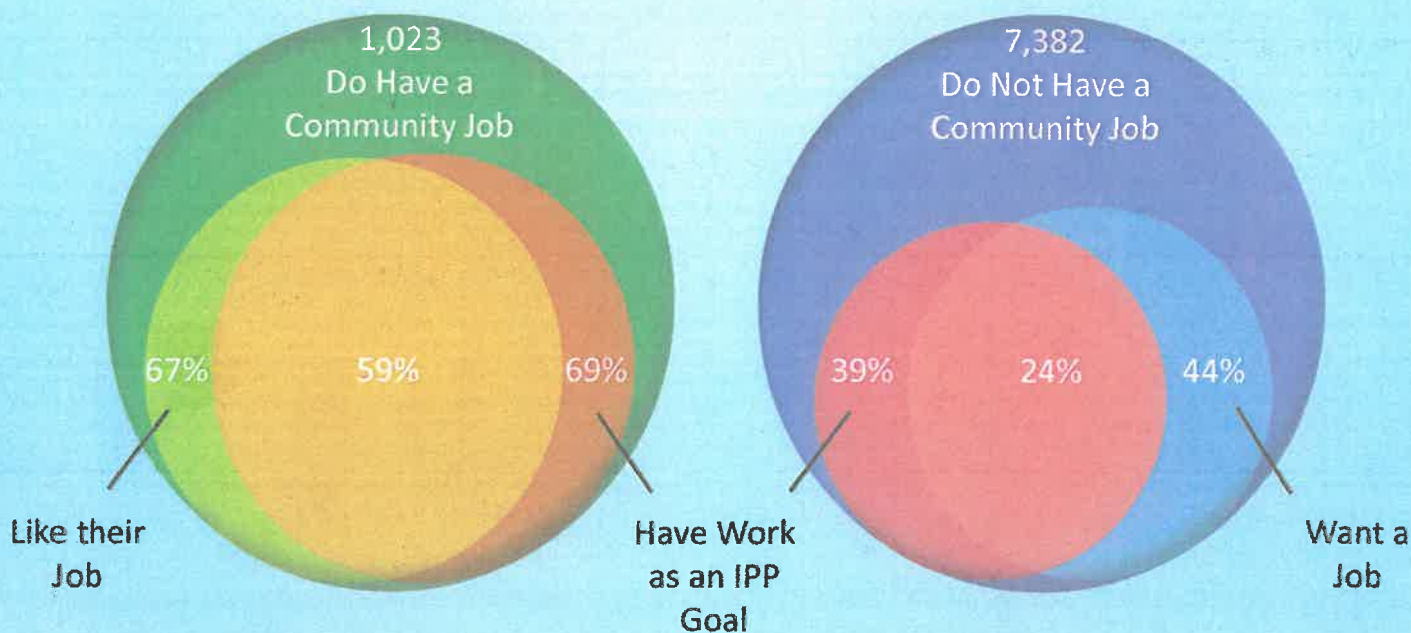
**California's Employment First Policy** was passed in 2013. The policy mandates that opportunities for competitive integrated employment are given the highest priority for working age individuals with developmental disabilities, regardless of the severity of their disabilities.



**California Competitive Integrated Employment: Blueprint for Change** is an agreement between the Departments of Rehabilitation, Education, and Developmental Services. The agreement builds on California's Employment First policy, to increase opportunities for Californians with developmental disabilities to prepare for and participate in competitive integrated employment.

### Employment as a Goal: A Possible First Step

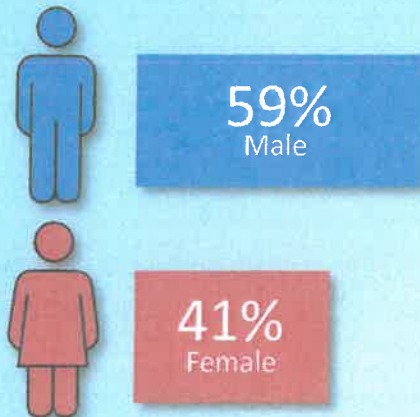
Having work as a goal in the Individual Program Plan (IPP) may be an important first step on the path to a community job. Of the 8,405 people who took the ACS in FY 2014-15, 1,023 (12%) were employed in the community. Of those with a job, 69% had work as a goal in their IPP. In contrast, among people who did not have a job, 39% had work as a goal in their IPP. In addition, more people who didn't have a job reported wanting a job (44%) than those who had work as a goal in their IPP.



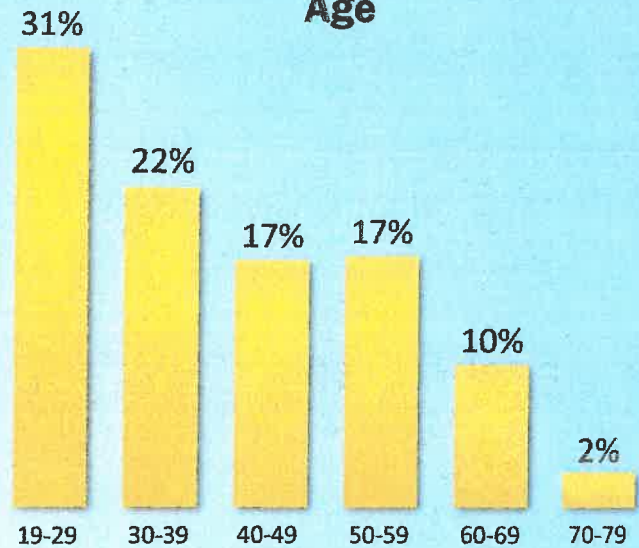
# Demographics

Individuals with developmental disabilities who were employed in the community were mostly male, under the age of 40, had an explicit means of communication (more than gestures or body language), and were in good to excellent health.

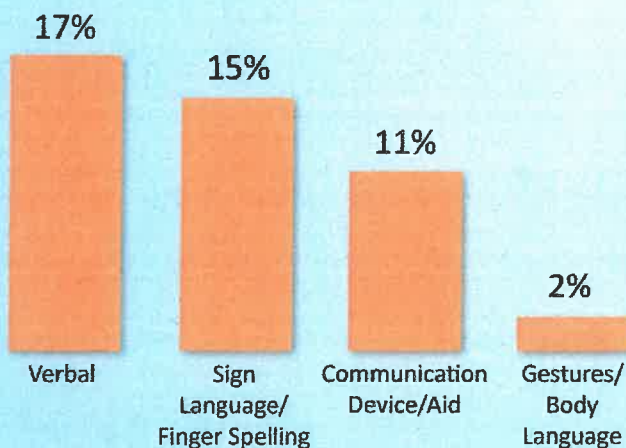
## Gender



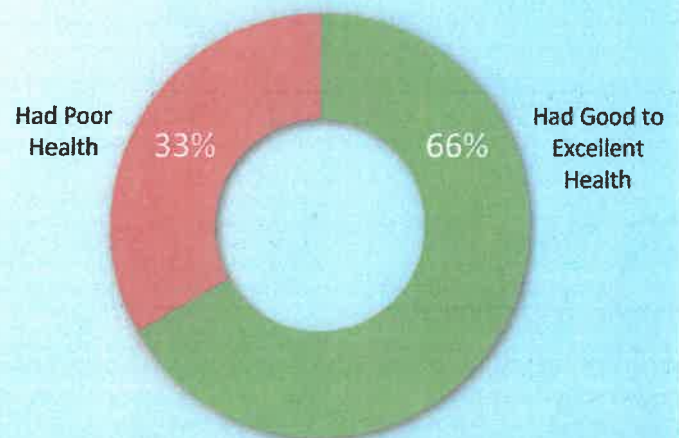
## Age



## Communication



## Health



## Summary of Key Findings

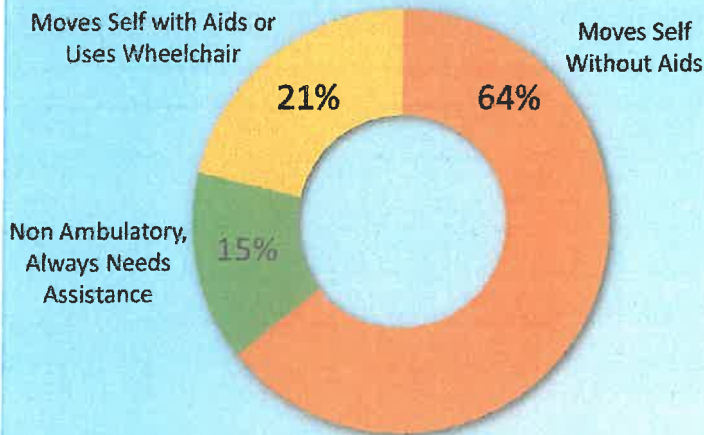
- Males were employed in the community at a higher rate than females.
- Individuals under age 40 were more likely to work in the community. As age increased, rate of employment in the community decreased.
- Individuals who used gestures or body language as their preferred means of communication had a lower rate of employment than those who used other forms of communication.
- Individuals in good to excellent health were employed at double the rate of those in poor health.



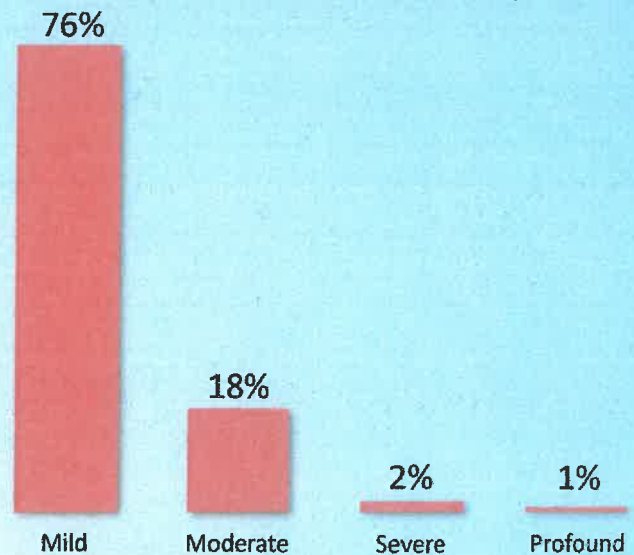
# Demographics

Individuals with developmental disabilities who were employed in the community were mostly independently mobile, had mild intellectual disability, and had two or fewer diagnoses in addition to intellectual disability.

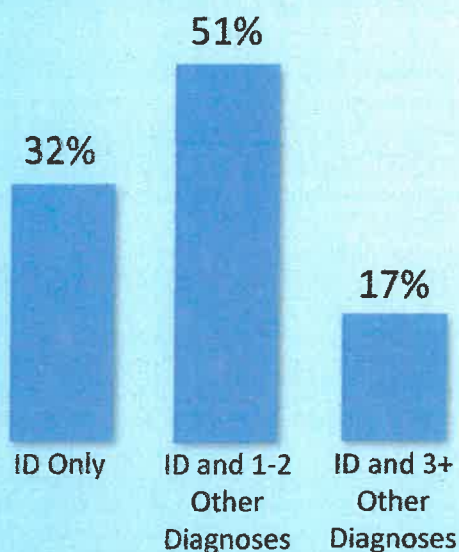
## Mobility



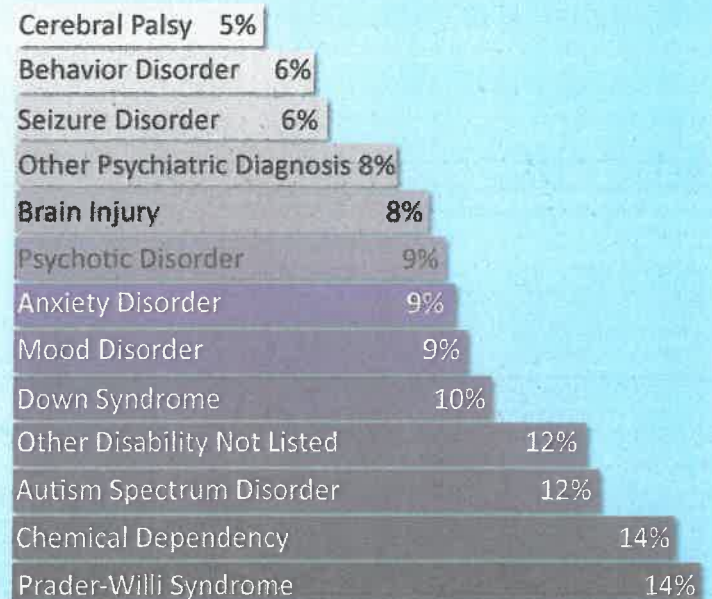
## Intellectual Disability



## Number of Diagnoses



## Type of Diagnosis\*



## Summary of Key Findings

- Individuals who moved independently without aids were employed at a higher rate than those who required the help of aides or were non-ambulatory.
- Individuals with mild intellectual disability had the highest rate of community employment. As level of intellectual disability increased, rate of employment decreased.
- Individuals with two or fewer diagnoses other than intellectual disability were more likely to be employed.
- Individuals with chemical dependency, Prader-willi syndrome, autism spectrum disorder, or an other disability not listed had the highest rates of employment.

\*Diagnostic categories are not mutually exclusive (Individuals may have more than one diagnosis). Categories add up to greater than 100%

# Types of Community Employment



**35%**  
Building and Grounds  
Keeping or Maintenance



**21%**  
Retail



**15%**  
Food Preparation  
or Food Service



**12%**  
Other



**6%**  
Assembly, Manufac-  
turing, or Packaging



**4%**  
General Office and  
Administrative Support



**3%**  
Material Handling,  
Mail Distribution



**1.5%**  
Self-employed



**1.5%**  
Personal Care  
Provider



**0.4%**  
Management, Business,  
or Financial Operations



**0.4%**  
Professional or  
Technical



**0.3%**  
Fishing, Farming,  
or Forestry



**0.3%**  
Construction or Repair



Nicole is employed in a competitive integrated setting providing animal care services at Mohnacky Animal Hospital. Nicole feeds and walks the animals at the hospital, prepares them for surgeries, and monitors their recovery, including those in critical condition. She has worked at her job for nearly one year, works full time, and receives above minimum wage. When asked about her job, she responded "I get paid to do what I am passionate about!"



Merrell is employed as a legislative assistant intern at the California State Capitol in Sacramento. His advice: "Be willing to try out a good job. Even though it might be a challenging job that you don't like at first, you might actually like it later. Don't give up."

## Summary of Key Findings

- The majority of employed individuals worked in building and grounds cleaning or maintenance (358 people), retail (218 people), or food preparation and food service (150 people).
- Few individuals were employed in construction or repair (3 people), farming, fishing or forestry work (3 people), or management, business, or financial operations (4 people).





Average hours worked in the community in a 2-week period

People with developmental disabilities benefit from integrated community employment in more ways than just earned income<sup>1,2</sup>

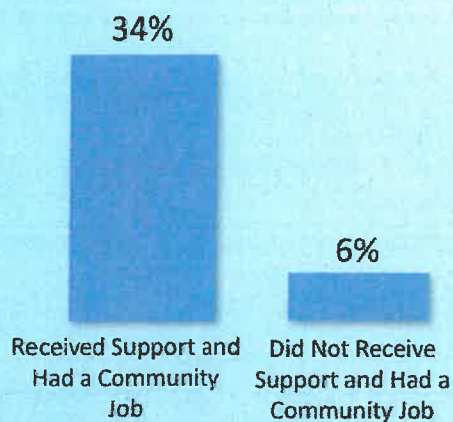
*Builds self-esteem*  
*Increases quality of life*  
*Increases feelings of independence*  
*Provides structure*  
*Expands socialization opportunities*  
*Increases feelings of social belonging*  
*Develops new skills and enhances existing skills*

## Services and Supports:

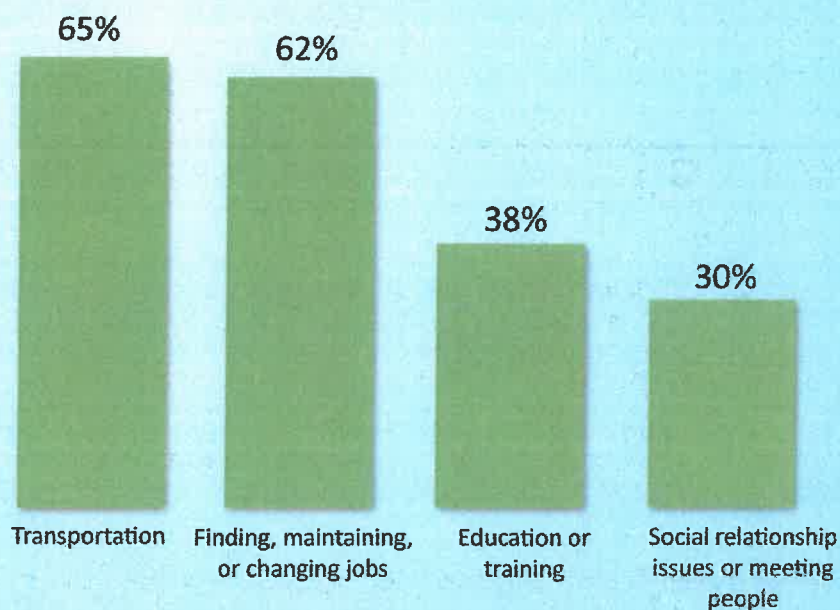
### Another Step Towards Competitive Integrated Employment

Individuals who received supports or services were more likely to have a community job. More than half of the 1,023 individuals who had community employment received supports for transportation or for finding, maintaining, or changing jobs. Fewer receive supports or services for education or training and for social relationship issues or meeting people.

#### Employed Individuals Receiving Support



#### Type of Support Received by Employed Individuals



## Summary of Key Findings

- Among individuals who received services and supports for finding, maintaining, or changing jobs, 34% were employed in the community. Among individuals who did not receive these supports and services, only 6% were employed in the community.
- 65% of individuals with community employment received assistance with transportation and 62% received assistance with finding, maintaining, or changing jobs. 38% received assistance with education or training, and 30% received assistance with social relationship issues or meeting people.

<sup>1</sup>Stephens, Collins, & Dodder (2005). A longitudinal study of employment and skill acquisition among individuals with developmental disabilities. *Research in developmental disabilities*, 26(5), 469-486.

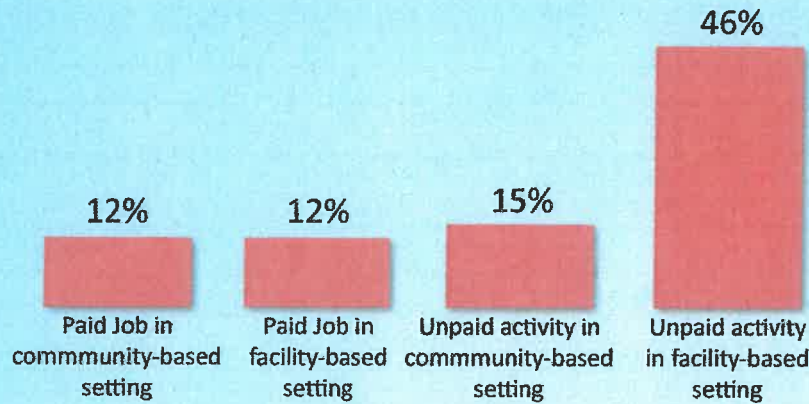
<sup>2</sup>Kober & Eggleton (2005). The effect of different types of employment on quality of life. *Journal of Intellectual Disability Research*, 49(10), 756-760.



## Other Daily Activities

There are other types of work experiences that individuals with developmental disabilities participate in such as paid activities in facility-based settings and unpaid activities in community or facility settings. The greatest proportion of individuals participated in unpaid activities in facility-based settings.

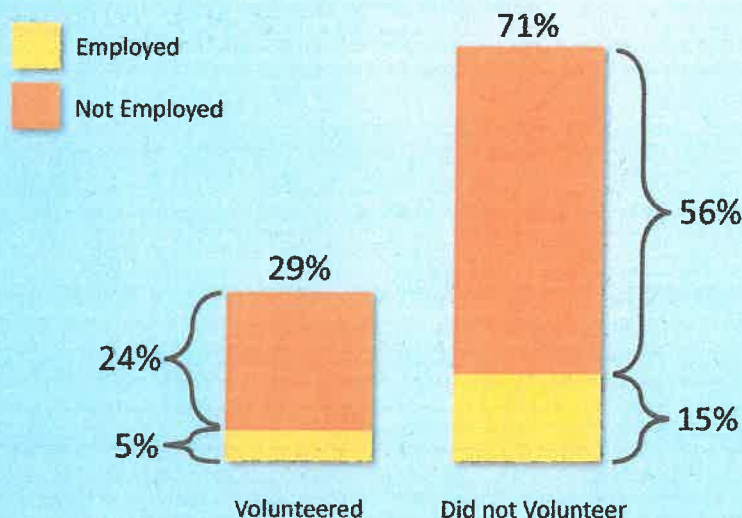
### Jobs & Activities by Setting



Karla had volunteer experience at a food bank that helped her solidify her skills and prepare for her current job as a packer at Bi-Rite Market.

## Volunteering & Employment

Volunteering can be a useful part of an individual's journey towards employment, as it can help individuals to build work skills and explore job interests. It is also a valuable way to contribute to a local community and build community relationships. Over one quarter of individuals volunteered, most of whom were not employed.



Candice had multiple volunteering experiences which helped to prepare her for her current job as a courtesy clerk associate at Sprouts Farmers Market.

## Summary of Key Findings

- The greatest proportion of individuals participated in unpaid activities in facility-based settings (46%). Relatively fewer individuals participated in unpaid activities (15%) or had a paid job (12%) in the community.
- Over one-quarter of individuals (29%) volunteered.
- The majority of individuals (56%) were not employed and did not volunteer. Nearly one-quarter (24%) of individuals were not employed but did volunteer.

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# **CHAIR & VICE CHAIR ELECTIONS**

## COUNCIL AGENDA ITEM DETAIL SHEET

**ISSUE:** The Council is to elect a Chairperson and Vice Chairperson to serve the 2019 – 2020 term.

**BACKGROUND/DISCUSSION:** W&I Code Section 4535(b) requires the Council to elect its Chairperson and Vice Chairperson by a majority vote. Only Council Members appointed as self-advocate and family-advocate members may serve in the Chairperson and Vice Chairperson positions. (See W&I Sections 4535(b) and 4521(b)(1).)

The bylaws mandate that the Council hold an election for its Chairperson and Vice Chairperson positions following the outlined voting procedure. Councilmembers were presented a timeline of this process on May 31, 2018. (See attachment 1.)

### VOTING PROCEDURE

#### MAY

- (1) Vacancies in Chair and Vice Chair Positions:** The Council Chair and Vice Chair positions became vacant due to the Governor's appointments of Councilmembers.
- (2) Council Amended Bylaws:** Councilmembers approved a bylaw amendment so that a Chairperson and Vice Chairperson may be elected in the instance of a vacancy of both positions. (Bylaws: Article VII, Section 5, [b][c]; Article VII, Section 4, [b])
- (3) Interim Chair and Vice Chair Elected:** Councilmembers appointed an interim Chairperson and interim Vice Chairperson to serve until the elections at the September 18, 2018 Council meeting. (Bylaws: Article VII, Section 5(b)[1])

#### JUNE

- (4) Executive Committee Developed a Slate of Candidates for the Nominating Committee:** The Executive Committee decided on a recommended slate of nominees for the Nominating Committee. (Bylaws: Article IX, Section 2(e)(1)[n].)

## JULY

- (5) Council's Election of Members to the Nominating Committee:** At the July Council meeting, the Executive Committee presented the slate of nominees for the Nominating Committee to the Council. The Council then elected members to the Nominating Committee. (Bylaws Article IX, Section 2(e)(1)[n]; and Section 3(b).)

## AUGUST

- (6) Nominating Committee's Nominations:** The Nominating Committee is responsible for nominating Council Members for the officer positions of Chair and Vice Chairperson. (Bylaws Article VII, Section 3.) Committee members reviewed all submissions received from Councilmembers interested in the Chairperson and Vice Chairperson positions. The Nominating Committee forwarded all names received as a slate of nominees for the Council's consideration. The nominees for Chairperson are:
- Sandra Smith, family-advocate representative
  - Matthew Lagrand, self-advocate representative
- The nominee for Vice-Chairperson is:
- Charles Nutt, self-advocate representative

## SEPTEMBER

- (7) Council's Election of Officers:** The Nominating Committee presents its nominations to the Council. As mentioned, nominations may be received from the floor before the election, but after the report of the Nominating Committee. (Article VII, Section 3.) Council Officers shall be elected by a simple majority vote. (Bylaws Article VII, Section 3.)
- (8) Length of New Terms:** The Council Members elected to the Chairperson and Vice Chairperson positions each begin their term of office immediately upon being elected, and the term ends December 31, 2018. (Bylaws Article VII, Section 4.)

## OCTOBER

**(9) Nominating Committee's Nominations:** The Nominating Committee is responsible for nominating Council Members for the officer positions of Chair and Vice Chairperson. (Bylaws Article VII, Section 3.) Committee members reviewed all submissions received from Councilmembers interested in the Chairperson and Vice Chairperson positions. The Nominating Committee forwarded all names received as a slate of nominees for the Council's consideration.

The nominees for Chairperson are:

- Jeana Eriksen, self-advocate representative
- Sandra Smith, family-advocate representative

The nominee for Vice-Chairperson is:

- Charles Nutt, self-advocate representative
- Jeana Eriksen, self-advocate representative

## NOVEMBER

**(10) Council's Election of Officers:** The Nominating Committee presents its nominations to the Council. As mentioned, nominations may be received from the floor before the election, but after the report of the Nominating Committee. (Article VII, Section 3.) Council Officers shall be elected by a simple majority vote. (Bylaws Article VII, Section 3.)

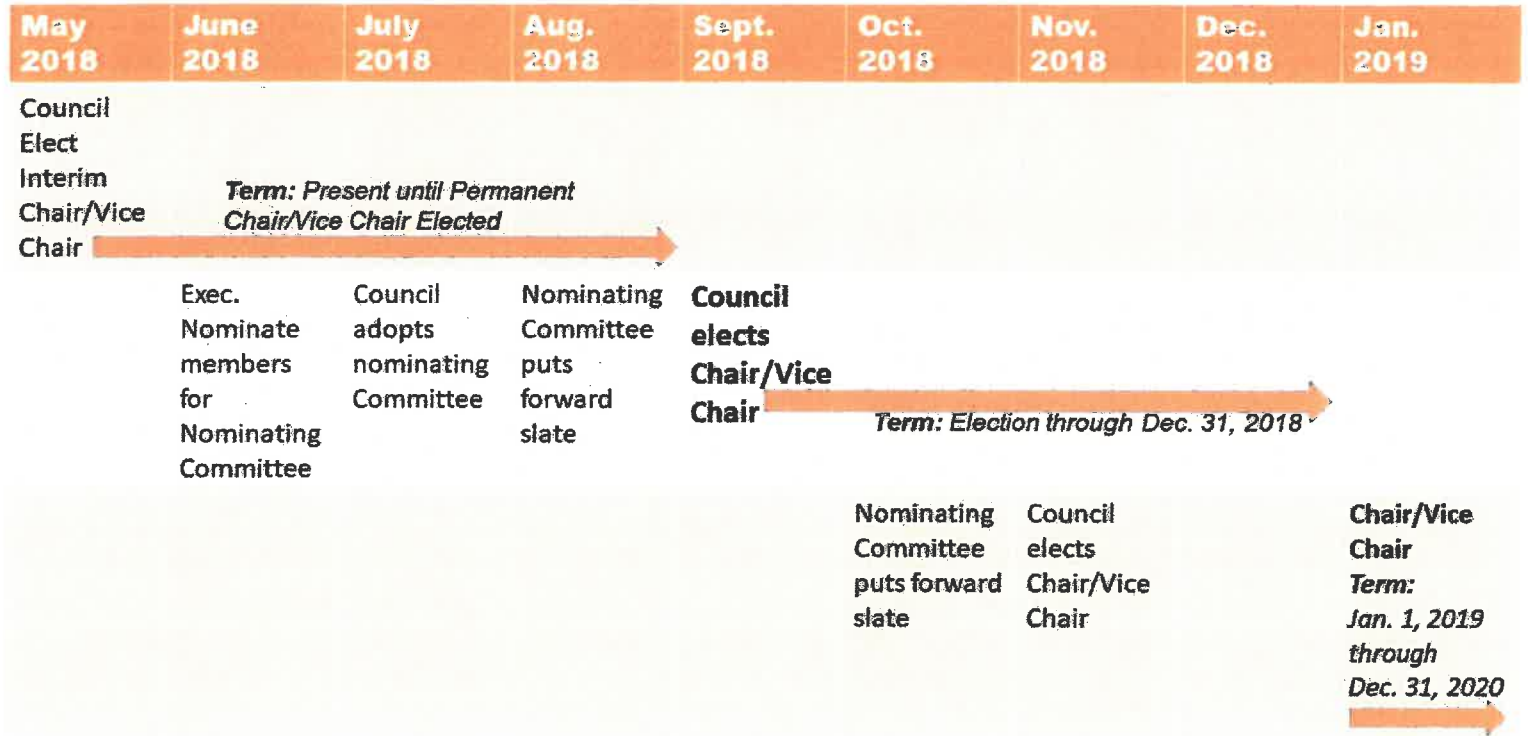
**(11) Length of New Terms:** The Council Members elected to the Chairperson and Vice Chairperson positions each begin their term of office January 1, 2019, and the term ends December 31, 2020. (Bylaws Article VII, Section 4.)

**RECOMMENDATION(S):** Elect a Council Chairperson and Vice Chairperson for the 2019 – 2020 term.

**ATTACHMENTS(S):** Attachment 1 – Timeline for 2018 Election Process  
Attachment 2 – Bylaws cited

**PREPARED BY:** Rihana Ahmad, November 9, 2018

# ATTACHMENT 1 TIMELINE FOR 2018 ELECTION PROCESS



## **ATTACHMENT 2 BYLAWS CITED**

### **ARTICLE VII. OFFICERS**

#### **Section 3. Voting Procedure:**

Council officers shall be elected by a simple majority vote.

Recommendations for officers shall be in the form of nominations from the Nominating Committee. Nominations may also be received from the floor prior to the election, but subsequent to the report of the Nominating Committee. If no nominee is elected by a majority vote, the Council will hold a run-off election between the nominees who received the two highest number of votes. The Council may waive this run-off requirement with a majority vote to waive.

#### **Section 4. Term of Office:**

(b) The term of office of each permanent Chairperson and permanent Vice-Chairperson who is elected under Article VII, Section 5, Subsection (b) due to vacancies shall run from the date the permanent Chairperson or permanent Vice-Chairperson is elected due to the vacancies until December 31, 2018. The next permanent Chairperson or Vice-Chairperson assumes office in January of the next calendar year under the voting procedure and timeline described in Article VII, Section 3 and Article IX, Section 3.

#### **Section 5. Vacancies:**

(b) If both the Chairperson and the Vice-Chairperson at the same time resign or are otherwise permanently unable to serve in their respective offices:

(1) The Council shall take a vote to appoint by a simple majority vote an interim Chairperson and an interim Vice-Chairperson from among the self and family advocate members pursuant to Welfare and Institutions Code Section 4535(b) at the next Council meeting.

[a] The interim Chairperson and interim Vice-Chairperson shall serve as the officers of the Council until the voting procedure established in Article VII, Section 3 can be carried out to elect a permanent Chairperson and permanent Vice-Chairperson.



- (2) The Council shall direct that the voting procedure established in Article VII, Section 3 and Article IX, Section 3 be carried out immediately and according to an appropriate timeline, which may be different from what is specified in those sections.
- (3) The Council shall resume the voting procedure and timeline outlined in Article VII, Section 3 and Article IX, Section 3 after the permanent Chairperson and permanent Vice-Chairperson are elected under this Subsection (b).
- (c) The voting procedure established in Article VII, Section 3 shall be used for the election process of a permanent Chairperson and/or permanent Vice-Chairperson.

## **ARTICLE IX. COMMITTEES**

### **Section 3. Nominating Committee:**

The Nominating Committee shall provide advice to the Council relative to the bi-annual election of Council officers. The Committee shall:

- (b) Be elected by the Council at the September Council meeting from a slate of nominations by the Executive Committee.

## **Chair and Vice Chair election**

To whom it may concern

I think that I would be an excellent Chair and Vice Chair because I have experience with both positions. During the time that I was on my local area board the positions for Chair and Vice Chair became available to me. I was the Chair of the board for one year, and Vice Chair the second year. I was appointed by the Governor to the area board and 2010. I ran for the Chair position in 2012, and then again for Vice Chair in 2013. I was so good at the job, that the board wanted me to be the Chairperson, again in 2014 2015. My term on the board was expiring, so I declined the position regretfully. I know how to run a committee from my past experience. I think that if I have the opportunity to be elected to this position I will be the best Chairperson this Council has ever had.

My priorities are as follows.

First I will run the Council like a business, the same way I assisted my mom with running her business. I take pride in everything that I do.

Second I will give everyone a chance to be heard.

Thank you

Sincerely  
Council member Eriksen

To Nominating Committee and the Council:

The reason I'd like to be reelected as chair for SCDD is to continue the implementation of California 5-year state plan with all of its goals and objectives. We have become a sought-after voice by the CA legislature on issues that are important for all Californians and especially issues that affect the I/DD population that we serve as a Council. I have also developed a great working relationship with staff for SCDD, I am honored to have been elected chair in September by the board and want to continue to serve as chair and ask again for your vote.

My vision and expectations for the future of our Council is to work to help develop partnerships throughout the state with those that can help us best serve and assist in our mission of inclusion in all aspects of our daily lives. We are all here because we are leaders in our respective careers, communities, and families. I want SCDD to continue to have a known and positive presence throughout the state and to be a model for other Councils. We in California, unlike other states, have staff throughout the state "managers" who assure our mission to help all those who have needs within the developmental disability population under the DD Act, understanding that like any population of people, we are not monolithic. I am aware that throughout the state the needs of our self-advocates, families, providers and all our different communities may vary depending on where we live in the state.

As the state is dealing with these awful fires we have been in constant contact with OES, our members and staff, determining how we can be of assistance and verifying how our population as a whole is dealing with the trauma of it all. We are reminded how important it is to have connections to be able to reach out to our community in good times and bad. I Believe that's how we are able to build capacity and implement system change: the outreach that we have as a unique Council to have regional offices allows us to be able to reach out directly to our communities. This fact alone allows us to have a positive impact for our state. I think it's very important as the chair for California SCDD to make sure that other councils can reach out to us and that we reach out to them asking about things that work vs things that didn't and lessons learned. So, I say again My goal for 2019 will be to continue to move forward while being the voice throughout the state for SCDD and the many we serve. With our ultimate objective to build capacity and effectively implement system change for the benefit of all.

Nominating committee Thank you for your time.

Sandra Smith  
SCDD Chair

## **State Council Developmental Disability Vice Chair**

Hello fellow council members. My name is Charles Nutt. I am your Interim Vice Chair and also a self-advocate. I am currently married to a beautiful woman that is a Speech Therapist in our community. Her preschool students call her Peach. Her son is a person with autism. We love to travel and see the sights of Northern California. Recently, we went to San Francisco to see the Cliff House. Along with family life, I also have a passion for Advocacy and would like to share with you some of my experiences at Butte College and at State Council.

During my time at Butte College:

- I was the Technology information specialist for Sigma Alpha Phi.
- I was the Treasurer for the inter club Council.
- I was the Satellite Campus Liaison for the Associated Students.

These were my duties that I served at State Council:

- I was the Chair of the Administration Committee.
- I was on the Membership Committee.
- I was the Representative from the North State to the Statewide Self-Advocate Network.

Now Serving at the State Council ON Developmental Disabilities

- I am a Member of the North-State Self-Determination Advisory Committee.
- I am the Liaison to the North State Regional Advisory Committee.
- I am the Chair of the Executive Committee.
- I am the State Council Developmental Disabilities Interim Vice Chair

My priorities as the vice chair is to work with the Council and Staff to make sure that we have a good working budget, to make sure that the Council and staff are addressing the State Plan through projects that are innovative and support: Self-Advocacy; Employment; Housing; Health and Safety; Inclusive Education and supporting access to community services and supports within communities throughout California. As the vice chair, I will help the State Plan remain a positive and Productive plan that the AIDD will approve. To help evaluate our Executive Director. To do my best to always ask for help from Staff and fellow Council members. To follow and live by the mission and vision of the State Council on Developmental Disabilities.

As the Vice Chair of the State Council on Developmental Disabilities I am also known as the Parliamentarian. through my time here at the State Council I have taking the Roberts Rules of Order Twice.

I feel with the services that I served that I would be a valuable asset as the Vice Chair on the State Council on Developmental Disabilities. If you choose me as your State Council on Developmental Disabilities Vice Chair, I will do everything in my power to be positive, productive, and professional. I will listen to all Council Members and collaborate with the Staff to ensure best practices before, during, and after meetings. I will work hard with the Executive Committee to make the information, policy, and agenda items useful and meaningful to all.

Thank you for support and for your guidance and for considering me for the position of the Vice Chair of the State Council on Developmental Disabilities.

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# **COI WAIVER REQUESTS**

## COUNCIL AGENDA ITEM DETAIL SHEET

**ISSUE:** Regional Center Conflict of Interest (COI)

**SUMMARY:** Amendments to the Lanterman Developmental Disabilities Services Act (Lanterman Act) made by Assembly Bill (AB) 1595<sup>1</sup> resulted in redefining the Area Boards into Regional Advisory Committees, changing their appointment authority and scope. Under its current process, the State Council on Developmental Disabilities (Council) is presented with a recommendation on the below conflict of interest resolution plan.

**BACKGROUND:** As outlined in Welfare and Institutions (W&I) Code sections 4500 et seq., the Lanterman Act requires regional centers to submit conflict of interest statements and proposed resolution plans to the Department of Developmental Services (DDS) and the Council.<sup>2</sup> As amended by AB 1595, the Lanterman Act provides that the Director of DDS may waive conflict of interest requirements of a contracting agency (i.e., a regional center) with approval of the State Council.<sup>3</sup>

The Council is being presented with information reviewed under the existing SCDD criteria and process approved by the Council. This approach provides for staff analysis of regional center conflict of interest issues.

**FACTS - CVRC Board member Tracy Blair:** Tracy Blair is a member of the Board of Directors of the Central Valley Regional Center (CVRC) on July 1, 2018. Ms. Blair currently works for Valley Children's Hospital (VCH), where she serves as the Executive Director of Legal Services and Deputy General Counsel. VCH is a vendor of CVRC but reportedly provides very limited services to CVRC requiring only minimal payments. CVRC is unable to make medical referrals to VCH as this can only be accomplished by a treating physician or insurance company. CVRC reports that it has no contracts or Memorandums of Understanding with VCH.

CVRC has a public member recruitment and appointment process which is subject to public review and engagement. Central Valley Regional Center recruits perspective board members by advertising their recruitment

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<sup>1</sup> Assem. Bill No. 1595 (2013-2014 Reg. Sess.)

<sup>2</sup> Welf. Inst. Code § 4626, subd. (f).

<sup>3</sup> Welf. & Inst. Code § 4268.



efforts within the agency, with their community partners, and using public forums, i.e. newspaper, and mass mailings. Final appointment decisions are made by the membership committee of the Board of Directors, which completes the appointment process.

The Council approved a prior waiver for Ms. Blair at its January 24, 2017 meeting. This is a request for a renewal of the waiver.

## **DISCUSSION:**

**Conflict of Interest:** Department of Developmental Services (DDS) Regulation<sup>4</sup> 54520 provides in part that a conflict of interest exists when the board member, or a family member of a regional center board member, holds any of the below positions for a provider:

- (1) a governing board member;
- (2) a board committee member;
- (3) a director;
- (4) an officer;
- (5) an owner;
- (6) a partner;
- (7) a shareholder;
- (8) a trustee;
- (9) an agent;
- (10) an employee;
- (11) a contractor;
- (12) a consultant;
- (13) a person who holds any position of management; or
- (14) a person who has decision or policy making authority.

Ms. Blair's conflict of interest arises because of her employment with CVRC's provider, VCH.<sup>5</sup> To address the conflict, Ms. Blair submits the following Conflict of Interest Resolution Plan (Plan):

1. As a Governing CVRC Board member, Ms. Blair will not participate in any discussion or vote on any matter involving VCH;

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<sup>4</sup> DDS' current regulations are published at California Code of Regulations, title 17, § 50201 et seq.

<sup>5</sup> Cal. Code Regs., title 17, § 54520(a)(10).

2. CVRC's Board of Directors and management staff will be informed of this Plan and the need to ensure that Ms. Blair does not participate in any discussion or vote on any issue relating to VCH;
3. The Executive Committee of the CVRC Board of Directors was informed of and approved the submission of this Plan;
4. CVRC's Board of Directors will be responsible for ensuring this Plan and its limitations are applied and monitored.

Ms. Blair's membership on the CVRC Board of Directors appears to help CVRC meet the composition requirements set forth in W&I Code section 4622, and the proposed COI Resolution Plan mitigates concerns over a conflict of interest that could result based upon her employment with a CVRC vendor that provides only limited services to CVRC. Accordingly, the staff recommendation is to approve Ms. Blair's waiver request.

**COUNCIL STRATEGIC PLAN OBJECTIVE:** None

**PRIOR COUNCIL ACTIVITY:** N/A

**STAFF RECOMMENDATION:** Approve Ms. Blair's waiver request provided she does not participate in any decision that impacts CCMRS.

**ATTACHMENT:** Ms. Blair's COI reporting statement and resolution plan.

**PREPARED BY:** Legal Counsel Adam Lewis, November 8, 2018.

# CENTRAL VALLEY REGIONAL CENTER INC.

Main Office: 4615 N. Marty - Fresno, California 93722-7818  
Phone: (559) 276-4300 - Fax (559) 276-4360 - TDD (559) 276-4441



June 19, 2018

Nancy Bargmann, Director  
Department of Developmental Services  
PO Box 944202  
Sacramento, CA 94244-2020

Re: Request for Renewal of Waiver – Tracy Blair

Dear Director Bargmann:

A conflict of interest waiver was granted by Brian Winfield, then Acting Deputy Director, December 14, 2015, for Tracy Blair, CVRC Board Director. The waiver is in effect through April 11, 2017. This is a request to renew the waiver as there is no change in Ms. Blair's situation.

Enclosed please find the following as part of the request:

1. A copy of Ms. Blair's Conflict of Interest Disclosure Statement dated June 18, 2018
2. A Disclosure Conflict of Interest, Request for Waiver Renewal and Plan of Action

The limitations proposed by CVRC are set forth in the plan of action and no other limitations are proposed.

This waiver packet is also being served upon Sequoia Regional Office and the California State Council on Developmental Disabilities (SCDD) as required by Title 17.

Thank you for your cooperation in this matter. We look forward to hearing from you with regard to this waiver renewal request.

Sincerely,



Chris Soares  
Central Valley Regional Center Board President

cc: Aaron Carruthers, Executive Director, SCDD  
Yolanda Cruz, Manager, Sequoia Regional Office, SCDD  
Tracy Blair, CVRC Board Director

## **Law concerning Governing Board Member Conflict of Interest**

The prohibition against a Regional Center governing board member having a conflict of interest is derived from Welfare and Institutions Code section 4626(a). The conflict of interest definition is set forth in more detail in the California Code of Regulations, Title 17.

Title 17 section 54520 (a) "A conflict of interest exists when a regional center governing board member...or a family member of such a person is any of the following for a business entity, entity, or provider as defined in section 54505 of these regulations, except to the **extent such position is permitted by Welfare and Institutions Code sections 4622 and 4626.**" (emphasis added)

Welfare and Institutions ("W&I") Code section 4622(e) "A minimum of 50 percent of the members of the governing board shall be persons with developmental disabilities or their parents or legal guardians. No less than 25 percent of the board shall be persons with developmental disabilities."

Welfare and Institutions ("W&I") Code section 4622(b) "The membership of the governing board shall include persons with legal, management, public relations, and developmental disability program skills."

## **Disclosure of Potential Conflict of Interest for Ms. Tracy Blair**

### **Potential or Actual Conflict of Interest**

#### Potential Conflict of Interest with Valley Children's Hospital.

Valley Children's Hospital (VCH) is a non-profit state-of-the-art children's hospital with a medical staff of more than 550 physicians. Tracy Blair is a CVRC Board Member and an attorney and is employed at VCH as Executive Director of Legal Services and Deputy General Counsel.

In California, VCH treated more inpatient cases than any pediatric hospital north of San Diego. With 356 licensed beds, VCH is one of the largest hospitals of its type in the nation. VCH's service area covers 45,000 square miles. VCH has an annual income of more than \$500,000,000.

VCH is a vendor, however, a very minor one for CVRC. In calendar year 2015, CVRC made no vendor payments to VCH and for the current calendar year the amount is \$1,138.85

CVRC does not, and cannot, make medical referrals to VCH, only a treating physician or insurance company can. The Purchase of Service funds paid to VCH is de minimis. CVRC has no contracts or MOU's with VCH.

## **Request for Waiver of Conflict of Interest**

Although this appears to be a definitional conflict of interest (Board Member employed by a vendor), there is no influence possible to be asserted by Ms. Blair to benefit VCH from her membership as a CVRC Board Member. If there were to arise any issue presented to the CVRC Board concerning VCH, Ms. Blair would, of course, recuse herself from any discussion or involvement.

For the reasons that follow, pursuant to Title 17, section 54523, CVRC requests a Waiver of any potential or actual conflict of interest given that:

- (a) Ms. Blair fulfills CVRC's compliance requirements under W&I section 4622(a);
- (b) Ms. Blair fulfills CVRC's compliance requirements under W&I section 4622(b);
- (c) Ms. Blair fulfills CVRC's compliance requirements under W&I section 4622 (e);
- (d) CVRC does not have any contracts with VCH

## **Proposed Plan of Action**

CVRC's suggested plan of action for resolving this "conflict of interest" is as follows:

1. As a Governing CVRC Board Member, Ms. Blair will not participate in any discussion or vote on any matter involving VCH;
2. CVRC governing board and management staff will be informed of this Plan of Action and will be informed of the need to ensure that Ms. Blair does not participate in any discussion or vote on any issue relating to VCH.
3. The Executive Committee of the CVRC Board has been informed of and has approved the submission of this Proposed Plan of Action for Waiver of Conflict of Interest.
4. CVRC Board of Directors itself will be responsible for ensuring that the above plan and limitations are applied and monitored.
5. This Request for Waiver packet is also being served on the Sequoia Regional Office, State Council on Developmental Disabilities and the California State Council on Developmental Disabilities as required by Title 17, section 54523.

**Reset Form****CONFLICT OF INTEREST REPORTING STATEMENT  
DS 6016 (Rev. 08/2013)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

**A. INFORMATION OF REPORTING INDIVIDUAL**

Name: Tracy Blair Regional Center: Central Valley

Regional Center Position/Title: ☒ Governing Board Member ☐ Executive Director  
☐ Vendor Advisory Committee sitting on Board ☐ Employee  
☐ Contractor ☐ Agent ☐ Consultant

Reporting Status: ☒ Annual ☐ New Appointment (date): \_\_\_\_\_  
☐ Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

N/A governing board member.

<sup>1</sup> Change of status includes a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, change in regional center, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
☒ yes ☐ no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local governmental entity, provide the specific name of the state or local governmental entity and describe your job duties at the state or local governmental entity.

I am the Deputy General Counsel at Valley Children's Hospital/Valley Children's Healthcare

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor? ☒ yes ☐ no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

Yes, Valley Children's Hospital/UCMG provides a small amount of services for CVRC. I am not part of that decision making And don't know the dollar amount.

4. Are you a regional center advisory committee board member? ☐ yes ☒ no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? ☐ yes ☐ no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? ☐ yes ☒ no -- If yes, please explain.

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, parent-in-laws, brother-in-laws, sister-in-laws, son-in-laws and daughter-in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>? [Note: Governing board members do not have to answer "yes" to this question if the financial benefit would be available to regional center consumers or their families generally].  
☐ yes ☒ no -- If yes, please explain.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center? ☒ yes ☐ no -- If yes, please explain.

*Contracts over \$250,000.*

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center? ☐ yes ☒ no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☒ no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center? ☒ yes ☒ no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☒ yes ☒ no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.



- ☐ Governing Board Member
- ☐ Vendor Advisory on Board
- ☐ Executive Director
- ☐ Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
☐ yes ☒ no – If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? ☐ yes ☒ no – If yes, please explain.

## B. ATTESTATION

I Tracy Blair (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature

Blair

Date

6/19/18

### INTERNAL USE ONLY

Date this Statement was received by Reviewer:

The reporting individual ☒ does ☐ does not have a ☐ present ☒ potential conflict of interest

Signature of Designated Reviewer

Heather Flores

Date Review Completed

6-28-2018

## COUNCIL AGENDA ITEM DETAIL SHEET

**ISSUE:** Regional Center Conflict of Interest (COI)

**SUMMARY:** Amendments to the Lanterman Developmental Disabilities Services Act (Lanterman Act) made by Assembly Bill (AB) 1595<sup>1</sup> resulted in redefining the Area Boards into Regional Advisory Committees, changing their appointment authority and scope. Under its current process, the State Council on Developmental Disabilities (Council) is presented with a recommendation on the below conflict of interest resolution plan.

**BACKGROUND:** As outlined in Welfare and Institutions (W&I) Code sections 4500 et seq., the Lanterman Act requires regional centers to submit conflict of interest statements and proposed resolution plans to the Department of Developmental Services (DDS) and the Council.<sup>2</sup> As amended by AB 1595, the Lanterman Act provides that the Director of DDS may waive conflict of interest requirements of a contracting agency (i.e., a regional center) with approval of the State Council.<sup>3</sup>

The Council is being presented with information reviewed under the existing SCDD criteria and process approved by the Council. This approach provides for staff analysis of regional center conflict of interest issues.

**FACTS - CVRC Board member Jenifer Foster:** Jenifer Foster is a current member of the Board of Directors of the Central Valley Regional Center (CVRC). Ms. Foster works for Central California Mennonite Residential Services (CCMRS), which is a CVRC vendor that provides various services to CVRC consumers. Ms. Foster is presently the Executive Director of CCMRS.

CVRC has a public member recruitment and appointment process which is subject to public review and engagement. Central Valley Regional Center recruits perspective board members by advertising their recruitment efforts within the agency, with their community partners, and using public forums, i.e. newspaper, and mass mailings. Final appointment decisions are made by the membership committee of the Board of Directors, which completes the appointment process.

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<sup>1</sup> Assem. Bill No. 1595 (2013-2014 Reg. Sess.)

<sup>2</sup> Welf. Inst. Code § 4626, subd. (f).

<sup>3</sup> Welf. & Inst. Code § 4268.

Ms. Foster has not previously requested a waiver.

## **DISCUSSION:**

**Conflict of Interest:** Department of Developmental Services (DDS) Regulation<sup>4</sup> 54520 provides in part that a conflict of interest exists when the board member, or a family member of a regional center board member, holds any of the below positions for a provider:

- (1) a governing board member;
- (2) a board committee member;
- (3) a director;
- (4) an officer;
- (5) an owner;
- (6) a partner;
- (7) a shareholder;
- (8) a trustee;
- (9) an agent;
- (10) an employee;
- (11) a contractor;
- (12) a consultant;
- (13) a person who holds any position of management; or
- (14) a person who has decision or policy making authority.

Ms. Foster's conflict of interest arises because of her position as the Executive Director of CVRC's provider, CCMRS.<sup>5</sup> To address the conflict, Ms. Foster submits the following Conflict of Interest Resolution Plan (Plan):

1. As a Governing CVRC Board member, Ms. Foster will not participate in any discussion or vote on any matter involving CCMRS;
2. CVRC Governing Board and management staff will be informed of this Plan and will be informed of the need to ensure that Ms. Foster does not participate in any discussion or vote on any issue relating to CCMRS. The Executive Committee of the CVRC was informed of and had approved the submission of this proposed Plan.

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<sup>4</sup> DDS' current regulations are published at California Code of Regulations, title 17, § 50201 et seq.

<sup>5</sup> Cal. Code Regs., title 17, § 54520(a)(3) and (10).

3. CVRC's Board of Directors will be responsible for ensuring that this Plan's limitations are applied and monitored;
4. Ms. Foster understands she cannot be an officer of the CVRC Board of Directors per Welfare and Institutions Code § 4622(k);

Ms. Foster's membership on the CVRC Board of Directors appears to help CVRC meet the composition requirements set forth in W&I Code section 4622, and the proposed COI Resolution Plan mitigates concerns over a conflict of interest that could result based upon her current employment with a CVRC vendor. However, given that Ms. Foster works as the Executive Director for a CVRC vendor, additional safeguards to the Plan seem appropriate. Accordingly, the staff recommendation is to approve Ms. Foster's waiver request with the following underlined additions to the proposed Plan:

1. As a Governing CVRC Board member, Ms. Foster will not participate in any discussion or vote on any matter involving CCMRS or any other CVRC service provider vendorizations;
2. CVRC Governing Board and management staff will be informed of this Plan and will be informed of the need to ensure that Ms. Foster does not participate in any discussion or vote on any issue relating to CCMRS or any other CVRC service provider vendorizations. The Executive Committee of the CVRC was informed of and had approved the submission of this proposed Plan.
3. CVRC's Board of Directors will be responsible for ensuring that this Plan's limitations are applied and monitored;
4. Ms. Foster understands she cannot be an officer of the CVRC Board of Directors per Welfare and Institutions Code § 4622(k);

**COUNCIL STRATEGIC PLAN OBJECTIVE:** None

**PRIOR COUNCIL ACTIVITY:** N/A

**STAFF RECOMMENDATION:** Approve Ms. Foster's waiver request provided she does not participate in any decision that impacts CCMRS, or any other CVRC service provider vendorizations.

**ATTACHMENT:** Ms. Foster's COI reporting statement and resolution plan.

**PREPARED BY:** Legal Counsel Adam Lewis, November 8, 2018.

# CENTRAL VALLEY REGIONAL CENTER INC.

*Main Office: 4615 N. Marty - Fresno, California 93722-7818  
Phone: (559) 276-4300 - Fax (559) 276-4360 - TDD (559) 276-4441*



September 18, 2018

Nancy Bargmann, Director  
Department of Developmental Services  
PO Box 944202  
Sacramento, CA 94244-2020

Re: Request for Waiver – Jenifer Foster

Dear Director Bargmann:

This is a request for a conflict of interest waiver on behalf of Jenifer Foster, Board Member of Central Valley Regional Center.

Enclosed please find the following as part of the request:

1. A copy of Ms. Fosters' Conflict of Interest Disclosure Statement dated June 19, 2018
2. A Disclosure Conflict of Interest, Request for Waiver and Plan of Action

The limitations proposed by CVRC are set forth in the plan of action and no other limitations are proposed.

This waiver packet is also being served upon Sequoia Regional Office and the California State Council on Developmental Disabilities (SCDD) as required by Title 17.

Thank you for your cooperation in this matter. We look forward to hearing from you with regard to this waiver request.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Flores", written in a cursive style.

Heather Flores, Executive Director  
Central Valley Regional Center

cc: Aaron Carruthers, Executive Director, SCDD  
Yolanda Cruz, Manager, Sequoia Regional Office, SCDD  
Dave Clayton, CVRC, President, Board of Directors



## **Law concerning Governing Board Member Conflict of Interest**

The prohibition against a Regional Center governing board member having a conflict of interest is derived from Welfare and Institutions Code section 4626(a). The conflict of interest definition is set forth in more detail in the California Code of Regulations, Title 17.

Title 17 section 54520 (a) "A conflict of interest exists when a regional center governing board member...or a family member of such a person is any of the following for a business entity, entity, or provider as defined in section 54505 of these regulations, except to the **extent such position is permitted by Welfare and Institutions Code sections 4622 and 4626.**" (emphasis added)

Welfare and Institutions ("W&I") Code section 4622(e) "A minimum of 50 percent of the members of the governing board shall be persons with developmental disabilities or their parents or legal guardians. No less than 25 percent of the board shall be persons with developmental disabilities."

Welfare and Institutions ("W&I") Code section 4622(b) "The membership of the governing board shall include persons with legal, management, public relations, and developmental disability program skills."

Section 54520 concludes: "(b) No regional center governing board member who has a conflict of interest shall continue to serve as a board member in violation of these provisions unless the board member has eliminated the conflict of interest or **obtained a waiver pursuant to these regulations.**" (emphasis added)

## **Disclosure of Potential Conflict of Interest for Ms. Jenifer Foster**

### **Potential or Actual Conflict of Interest**

Potential Conflict of Interest with Central California Mennonite Residential Services. Central California Mennonite Residential Services (CCMRS) is a faith-based, nonprofit, tax exempt, corporation governed by a Board of Director who provide support and service to adults with developmental disabilities and their families. CCMRS has been in operation in Fresno, California for 30 years.

CCMRS receives funding from the State of California through the Central Valley Regional Center. Additional funds are required in order to maintain facilities, achieve goals, and fulfill our mission. CCMRS relies on the generosity and prayers of faithful individuals, churches and organizations who support this ministry.

## **Request for Waiver of Conflict of Interest**

Although this appears to be a definitional conflict of interest (Board Member employed by a vendor), there is no influence possible to be asserted by Ms. Foster to benefit CCMRS from her membership as a CVRC Board Member. If there were to arise any issue presented to the CVRC Board concerning CCMRS, Ms. Foster would, of course, recuse herself from any discussion or involvement.

For the reasons that follow, pursuant to Title 17, section 54523, CVRC requests a Waiver of any potential or actual conflict of interest given that:

- (a) Ms. Foster fulfills CVRC's compliance requirements under W&I section 4622(a);
- (b) Ms. Foster fulfills CVRC's compliance requirements under W&I section 4622(b);
- (c) Ms. Foster fulfills CVRC's compliance requirements under W&I section 4622 (e);
- (d) CVRC does not have any contracts with CCMRS

## **Proposed Plan of Action**

CVRC's suggested plan of action for resolving this "conflict of interest" is as follows:

1. As a Governing CVRC Board Member, Ms. Foster will not participate in any discussion or vote on any matter involving CCMRS;
2. CVRC governing board and management staff will be informed of this Plan of Action and will be informed of the need to ensure that Ms. Foster does not participate in any discussion or vote on any issue relating to CCMRS.
3. The Executive Committee of the CVRC Board has been informed of and has approved the submission of this Proposed Plan of Action for Waiver of Conflict of Interest.
4. CVRC Board of Directors itself will be responsible for ensuring that the above plan and limitations are applied and monitored.
5. This Request for Waiver packet is also being served on the Sequoia Regional Office, State Council on Developmental Disabilities and the California State Council on Developmental Disabilities as required by Title 17, section 54523.
6. Ms. Foster understands she cannot be an officer of the Board per California Welfare and Institutions Code, 4622(k).
7. Controlled census cap for Hampton Gate, Hampton Way and Huntington House.

**CONFLICT OF INTEREST REPORTING STATEMENT****DS 6016 (Rev. 08/2013)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

**A. INFORMATION OF REPORTING INDIVIDUAL**Name: Jenifer Foster Regional Center: Central Valley

Regional Center Position/Title: ☒ Governing Board Member ☐ Executive Director  
☐ Vendor Advisory Committee sitting on Board ☐ Employee  
☐ Contractor ☐ Agent ☐ Consultant

Reporting Status: ☒ Annual ☐ New Appointment (date): \_\_\_\_\_  
☐ Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

*n/a - governing board member*

<sup>1</sup> Change of status includes a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, change in regional center, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

- ☒ Governing Board Member  
☐ Vendor Advisory on Board  
☐ Executive Director  
☐ Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
☒ yes ☐ no – If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local governmental entity, provide the specific name of the state or local governmental entity and describe your job duties at the state or local governmental entity.

*Central California Mennonite Residential Services, Inc. (CCMRS)  
 provides Supported Living Services, Community Integration supports and  
 also operates a Level 2 ARF for CVRC consumers*

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor? ☒ yes ☐ no – If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

*CCMRS (see above) I hold the position of Executive Director and  
 as such am a full-time exempt employee of CCMRS.*

4. Are you a regional center advisory committee board member? ☒ yes ☐ no – If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? ☒ yes ☐ no – If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

*I am an attending participant in the Vendor Advisory Committee of the CVRC  
 board. see #2 + #3 above*

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? ☐ yes ☒ no – If yes, please explain.

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepiblings, children, stepchildren, grandchildren, parent-in-laws, brother-in-laws, sister-in-laws, son-in-laws and daughter-in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

- ☒ Governing Board Member  
☐ Vendor Advisory on Board  
☐ Executive Director  
☐ Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>? [Note: Governing board members do not have to answer "yes" to this question if the financial benefit would be available to regional center consumers or their families generally].  
☐ yes ☒ no -- If yes, please explain.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center? ☐ yes ☒ no -- If yes, please explain.

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center? ☐ yes ☒ no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☐ no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center? ☐ yes ☒ no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☐ no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

- ☒ Governing Board Member
- ☐ Vendor Advisory on Board
- ☐ Executive Director
- ☐ Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
☐ yes ☒ no – If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? ☐ yes ☒ no – If yes, please explain.

## B. ATTESTATION

I Jennifer L. Foster (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature Jennifer L. Foster Date 6/19/18

### INTERNAL USE ONLY

Date this Statement was received by Reviewer:

The reporting individual ☒ does ☐ does not have a ☐ present ☒ potential conflict of interest

Signature of Designated Reviewer

Date Review Completed

Heather Flores

6-28-2018



## **COUNCIL AGENDA ITEM DETAIL SHEET**

**ISSUE:** Regional Center Conflict of Interest (COI)

**SUMMARY:** Amendments to the Lanterman Developmental Disabilities Services Act (Lanterman Act) made by Assembly Bill (AB) 1595<sup>1</sup> resulted in redefining the Area Boards into Regional Advisory Committees, changing their appointment authority and scope. Under its current process, the State Council on Developmental Disabilities (Council) is presented with a recommendation on the below conflict of interest resolution plan.

**BACKGROUND:** As outlined in Welfare and Institutions (W&I) Code sections 4500 et seq., the Lanterman Act requires regional centers to submit conflict of interest statements and proposed resolution plans to the Department of Developmental Services (DDS) and the Council.<sup>2</sup> As amended by AB 1595, the Lanterman Act provides that the Director of DDS may waive conflict of interest requirements of a contracting agency (i.e., a regional center) with approval of the State Council.<sup>3</sup>

The Council is being presented with information reviewed under the existing SCDD criteria and process approved by the Council. This approach provides for staff analysis of regional center conflict of interest issues.

**FACTS - CVRC Board Vice President Christine Soares:** Christine Soares was elected Vice President of the Board of Directors of the Central Valley Regional Center (CVRC) on July 1, 2018. Ms. Soares has a daughter who receives services from CVRC and is currently employed by United Cerebral Palsy Infant Program (UPC), a vendor of CVRC.

CVRC has a public member recruitment and appointment process which is subject to public review and engagement. Central Valley Regional Center recruits perspective board members by advertising their recruitment efforts within the agency, with their community partners, and using public forums, i.e. newspaper, and mass mailings. Final appointment decisions are made by the membership committee of the Board of Directors, which completes the appointment process.

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<sup>1</sup> Assem. Bill No. 1595 (2013-2014 Reg. Sess.)

<sup>2</sup> Welf. Inst. Code § 4626, subd. (f).

<sup>3</sup> Welf. & Inst. Code § 4268.

The Council previously approved a waiver request for Ms. Soares during its November 30, 2017 meeting.

## **DISCUSSION:**

**Conflict of Interest:** Department of Developmental Services (DDS) Regulation<sup>4</sup> 54520 provides in part that a conflict of interest exists when the board member, or a family member of a regional center board member, holds any of the below positions for a provider:

- (1) a governing board member;
- (2) a board committee member;
- (3) a director;
- (4) an officer;
- (5) an owner;
- (6) a partner;
- (7) a shareholder;
- (8) a trustee;
- (9) an agent;
- (10) an employee;
- (11) a contractor;
- (12) a consultant;
- (13) a person who holds any position of management; or
- (14) a person who has decision or policy making authority.

Ms. Soares' conflict of interest arises because of her daughter's employment with CVRC's provider, UPC.<sup>5</sup> To address the conflict, Ms. Soares submits the following Conflict of Interest Resolution Plan (Plan):

1. As a Governing CVRC Board member, Ms. Soares will not participate in any discussion or vote on any matter involving UPC;
2. CVRC's Board of Directors and management staff will be updated on the status of Ms. Soares' daughter's employment status with UPC, as well as the status of this Plan;
3. The Executive Committee of the CVRC Board of Directors was informed of and approved the submission of this Plan;

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<sup>4</sup> DDS' current regulations are published at California Code of Regulations, title 17, § 50201 et seq.

<sup>5</sup> Cal. Code Regs., title 17, § 54520(a)(10).

4. CVRC's Board of Directors will be responsible for ensuring this Plan and its limitations are applied and monitored;

Ms. Soares' membership on the CVRC Board of Directors appears to help CVRC meet the composition requirements set forth in W&I Code section 4622, and the proposed COI Resolution Plan mitigates concerns over a conflict of interest that could result based upon her daughter's current employment with a CVRC vendor. Accordingly, the staff recommendation is to approve Ms. Soares' waiver request.

**COUNCIL STRATEGIC PLAN OBJECTIVE:** None

**PRIOR COUNCIL ACTIVITY:** N/A

**STAFF RECOMMENDATION:** Approve Ms. Soares' waiver request provided she does not participate in any decision that impacts CCMRS.

**ATTACHMENT:** Ms. Soares' COI reporting statement and resolution plan.

**PREPARED BY:** Legal Counsel Adam Lewis, November 7, 2018.

# CENTRAL VALLEY REGIONAL CENTER INC.

*Main Office: 4615 N. Marty - Fresno, California 93722-7818  
Phone: (559) 276-4300 - Fax (559) 276-4360 - TDD (559) 276-4441*



August 20, 2018

Nancy Bargmann, Director  
Department of Developmental Services  
P O Box 944202  
Sacramento, CA 94244-2020

Re: Request for Waiver – Chris Soares

Dear Director Bargmann:

This is a request for a conflict of interest waiver on behalf of Chris Soares, Vice-President, Board of Directors for Central Valley Regional Center.

Enclosed please find the following as part of the request:

1. A copy of Ms. Soares' Conflict of Interest Disclosure Statement dated August 12, 2018.
2. A Disclosure Conflict of Interest, Request for Waiver and Plan of Action

The limitations proposed by CVRC are set forth in the plan of action and no other limitations are proposed.

This waiver packet is also being served upon Sequoia Regional Office and the California State Council on Developmental Disabilities (SCDD) as required by Title 17.

Thank you for your cooperation in this matter. We look forward to hearing from you with regard to this waiver request.

Sincerely,

A handwritten signature in cursive script that reads "Heather Flores". The signature is written in dark ink and is positioned above the printed name.

Heather Flores, Executive Director  
Central Valley Regional Center

cc: Aaron Carruthers, Executive Director, SCDD  
Yolanda Cruz, Manager, Sequoia Regional Office, SCDD  
Dave Clayton, CVRC President, Board of Directors

## **Law concerning Governing Board Member Conflict of Interest**

The prohibition against a Regional Center governing board member having a conflict of interest is derived from Welfare and Institutions Code section 4626(a). The conflict of interest definition is set forth in more detail in the California Code of Regulations, Title 17.

Title 17 section 54520 (a) "A conflict of interest exists when a regional center governing board member...or a family member of such a person is any of the following for a business entity, entity, or provider as defined in section 54505 of these regulations, except to the extent such position is permitted by Welfare and Institutions Code sections 4622 and 4626." (emphasis added)

Welfare and Institutions ("W&I") Code section 4622(e) "A minimum of 50 percent of the members of the governing board shall be persons with developmental disabilities or their parents or legal guardians. No less than 25 percent of the board shall be persons with developmental disabilities."

Section 54520 concludes: "(b) No regional center governing board member who has a conflict of interest shall continue to serve as a board member in violation of these provisions unless the board member has eliminated the conflict of interest or obtained a waiver pursuant to these regulations." (emphasis added)

## **Disclosure of Potential Conflict of Interest for Ms. Chris Soares**

### **Potential Conflict of Interest with United Cerebral Palsy**

Ms. Soares was elected as the Vice-President to the CVRC Board of Directors on July 1, 2018. Her welcome membership on the CVRC Board allows CVRC to meet the requirements of W&I Code section 4622(e) which provides an exception to the requirements of Title 17, section 54520(a).

We are excited to share that Ms. Soares' daughter, Colleen, who is an individual served by CVRC is competitively employed by UCP Infant Program in Hanford, California. She works Monday through Thursday, 8:00 a.m. to 2:00 p.m. and on Fridays, 8:00 a.m. to 12:00 p.m. Ms. Soares' role as the Vice-President of the Board of Directors for Central Valley Regional Center has no direct responsibility, financial management interest or oversight at UCP.

United Cerebral Palsy of Central California provides programs for more than 1,100 children and adults, along with their families, with a broad range of disabilities including cerebral palsy, Down syndrome, autism, traumatic brain injuries, and developmental disabilities.

CVRC contends that Ms. Soares does not have a conflict, because W&I section 4622(e) exempts her from compliance with Title 17, section 54520.

## **Request for Waiver of Conflict of Interest**

Even though CVRC continues to believe that Ms. Soares does not have a conflict of interest for the reasons set forth above, in an abundance of caution, this information is being provided to the Department along with a proposed Waiver extension/renewal should the Department determine that Ms. Soares has a conflict of interest as defined in the W&I Code and Title 17.

For the reasons that follow, pursuant to Title 17, section 54523, CVRC requests a Waiver extension/renewal of any potential or actual conflict of interest given that:

- (a) Ms. Soares fulfills CVRC's compliance requirements under W&I section 4622(e);
- (b) Ms. Soares' daughter does not have any financial interest in or decision making authority at UCP.
- (c) Ms. Soares does not have any financial interest in or decision making authority at UCP.

## **Proposed Plan of Action**

CVRC's suggested plan of action for resolving this "conflict of interest" is as follows:

1. As a governing CVRC Board Member, Ms. Soares will not participate in any discussion or vote on any matter involving UCP;
2. CVRC governing board and management staff will be updated on Colleen Soares' employment status with UCP and of this Plan of Action.
3. The Executive Committee of the CVRC Board has been informed of and has approved the submission of this Proposed Plan of Action for Waiver of Conflict of Interest.
4. CVRC Board of Directors itself will be responsible for ensuring that the above plan and limitations are applied and monitored.
5. This Request for Waiver packet is also being served on the State Council on Developmental Disabilities (SCDD) and the SCDD, Sequoia Regional Office as required by Title 17, section 54523.





# **CONFLICT OF INTEREST REPORTING STATEMENT** **DS 6016 (Rev. 08/2013)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

## **A. INFORMATION OF REPORTING INDIVIDUAL**

Name: Christine Soares Regional Center: Central Valley

Regional Center Position/Title: ☒ Governing Board Member ☐ Executive Director  
☐ Vendor Advisory Committee sitting on Board ☐ Employee  
☐ Contractor ☐ Agent ☐ Consultant

Reporting Status: ☒ Annual ☐ New Appointment (date): \_\_\_\_\_  
☐ Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

N/A - Governing Board Member

<sup>1</sup> Change of status includes a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, change in regional center, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

- ☒ Governing Board Member  
☐ Vendor Advisory on Board  
☐ Executive Director  
☐ Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
☒ yes ☐ no – if yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local governmental entity, provide the specific name of the state or local governmental entity and describe your job duties at the state or local governmental entity.

Daughter (Colleen) is employed by UCP Infant Program in Hartford. She works Mon-Thurs 8-2 - Friday 8-12.

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor? ☒ yes ☐ no – if yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

UCP Infant Program (Hartford)

4. Are you a regional center advisory committee board member? ☒ yes ☐ no – if yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? ☐ yes ☒ no – if yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

Search & Nominating Committee

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? ☐ yes ☒ no – if yes, please explain.

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepiblings, children, stepchildren, grandchildren, parent-in-laws, brother-in-laws, sister-in-laws, son-in-laws and daughter-in-laws. See California Code of Regulations, title 17, sections 54505-54506.

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54525.

<input checked="" type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>? [Note: Governing board members do not have to answer "yes" to this question if the financial benefit would be available to regional center consumers or their families generally].  
☐ yes ☒ no – If yes, please explain.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center? ☒ yes ☐ no – If yes, please explain.

As a governing board we are responsible for approving contracts

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center? ☐ yes ☒ no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☒ no – If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center? ☐ yes ☒ no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☒ no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54522(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54529 define when financial interests in a contract will occur.

<input checked="" type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
☐ yes ☒ no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? ☐ yes ☒ no -- If yes, please explain.

## B. ATTESTATION

Christine Soares (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4525.

Signature Christine Soares Date 8/12/18

### INTERNAL USE ONLY

Date this Statement was received by Reviewer:

The reporting individual ☐ does ☒ does not have a ☐ present ☒ potential conflict of interest

Signature of Designated Reviewer

Date Review Completed

Heather Flores

8-20-2018

## COUNCIL AGENDA ITEM DETAIL SHEET

**ISSUE:** Regional Center Conflict of Interest (COI)

**SUMMARY:** Amendments to the Lanterman Developmental Disabilities Services Act (Lanterman Act) made by Assembly Bill (AB) 1595<sup>1</sup> resulted in redefining the Area Boards into Regional Advisory Committees, changing their appointment authority and scope. Under its current process, the State Council on Developmental Disabilities (Council) is presented with a recommendation on the below conflict of interest resolution plan.

**BACKGROUND:** As outlined in Welfare and Institutions (W&I) Code sections 4500 et seq., the Lanterman Act requires regional centers to submit conflict of interest statements and proposed resolution plans to the Department of Developmental Services (DDS) and the Council.<sup>2</sup> As amended by AB 1595, the Lanterman Act provides that the Director of DDS may waive conflict of interest requirements of a contracting agency (i.e., a regional center) with approval of the State Council.<sup>3</sup>

The Council is being presented with information reviewed under the existing SCDD criteria and process approved by the Council. This approach provides for staff analysis of regional center conflict of interest issues.

**FACTS - RCDSC Board President Steven Perez:** Steven Perez is the President of the Board of Directors of the Redwood Coast Developmental Services Corporation (RCDSC), which is the governing body of the Redwood Coast Regional Center (RCRC). Mr. Perez's spouse provides care for the couple's granddaughter in connection with her employment with Coastline Enterprises, doing business as (dba) Del Norte County Association of Developmental Services (DNADS), a vendor of RCRC that provides direct services to RCRC clients.

RCRC has a transparent public board member recruitment and appointment process which is subject to public review and engagement. Positions are announced through the regional self-advocacy groups, community groups, multi-media outlets and the agency website. All interested persons are encouraged to apply.

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<sup>1</sup> Assem. Bill No. 1595 (2013-2014 Reg. Sess.)

<sup>2</sup> Welf. Inst. Code § 4626, subd. (f).

<sup>3</sup> Welf. & Inst. Code § 4268.

The Council previously approved a waiver request for Mr. Perez during its November 30, 2017 meeting.

**DISCUSSION:**

**Conflict of Interest:** Department of Developmental Services (DDS) Regulation<sup>4</sup> 54520 provides in part that a conflict of interest exists when the board member, or a family member of a regional center board member, holds any of the below positions for a provider:

- (1) a governing board member;
- (2) a board committee member;
- (3) a director;
- (4) an officer;
- (5) an owner;
- (6) a partner;
- (7) a shareholder;
- (8) a trustee;
- (9) an agent;
- (10) an employee;
- (11) a contractor;
- (12) a consultant;
- (13) a person who holds any position of management; or
- (14) a person who has decision or policy making authority.

Mr. Perez's conflict of interest arises because of his spouse's employment with RCRC's provider, DNADS.<sup>5</sup> To address the conflict, Mr. Perez submits the following Conflict of Interest Resolution Plan:

1. Mr. Perez will not vote on any proceedings of the RCDSC Board of Directors that are related to Coastline Enterprises, dba DNADS;
2. Mr. Perez will not participate, individually or as a member of a committee or other group, in the development, presentation, or approval of any agency plans, policies, recommendations, or contracts regarding Coastline Enterprises, dba DNADS;

---

<sup>4</sup> DDS' current regulations are published at California Code of Regulations, title 17, § 50201 et seq.

<sup>5</sup> Cal. Code Regs., title 17, § 54520(a)(10).

3. Mr. Perez will not discuss with his spouse and will abstain from any proceedings of the RCDSC Board of Directors regarding Coastline Enterprises, dba DNADS;
4. Mr. Perez will not use his position on the RCDSC Board of Directors to exert influence on any planning team discussion related to services provided by Coastline Enterprises, dba DNADS;
5. The RCRC Executive Director will be responsible for ensuring that the plan and its safeguards are applied and monitored.

Mr. Perez's membership on the RCDSC Board of Directors appears to help RCRC meet the composition requirements set forth in W&I Code section 4622, and the proposed COI Resolution Plan mitigates concerns over a conflict of interest that could result based upon his spouse's employment with a RCRC vendor. Accordingly, the staff recommendation is to approve Mr. Perez's waiver request.

**COUNCIL STRATEGIC PLAN OBJECTIVE:** None

**PRIOR COUNCIL ACTIVITY:** N/A

**STAFF RECOMMENDATION:** Approve Mr. Perez's waiver request provided he does not participate in any decision that impacts his spouse's employer, Coastline Enterprises, dba DNADS.

**ATTACHMENT:** Mr. Perez's COI reporting statement and resolution plan.

**PREPARED BY:** Legal Counsel Adam Lewis, November 6, 2018.





# Redwood Coast Regional Center

Respecting Choice in the Redwood Community

August 27, 2018

Allan Smith  
Community Program Specialist II  
California Department of Developmental Services  
Regional Center Operations Section  
1600 9<sup>th</sup> Street, Room 340, MS 3-12  
Sacramento, CA 95814

**RE: Request for Waiver of COI/Plan of Resolution for Steven Perez (RCDSC Board Member)**

Dear Allan,

I am submitting the Conflict of Interest Reporting Statement for Steven Perez who is the current President of the RCDSC Board of Directors. Mr. Perez resides in Crescent City, CA and his spouse provides care for their grand-daughter as an employee of Coastline Enterprises, DBA: Del Norte County Association of Developmental Services (DNADS) which is a vendored service by RCRC to provide any direct services to RCRC clients and a potential conflict of interest does exist

The following safeguards will be mitigated and/or eliminate any present or potential conflict of interest will continue as follows:

1. Mr. Perez will not vote on any and all Board proceedings that are related to Coastline Enterprises, DBA: DNADS;
2. Mr. Perez will not participate, individually or as a member of a committee or other group, in the development, presentation, or approval of any agency plans, policies, recommendations or contracts regarding Coastline Enterprises, DBA: DNADS;
3. Mr. Perez will not discuss with his spouse and will abstain from any proceedings of the RCDSC Board of Directors with regard to Coastline Enterprises, DBA: DNADS;
4. Mr. Perez will not use his position on the RCDSC Board of Directors to exert influence on any planning team decision related to services provided by Coastline Enterprises, DBA: DNADS;
5. The RCRC Executive Director, will be responsible for ensuring that the plan and its safeguards are applied and monitored.

Page 1 of 2

□ 525 2nd Street, Ste. 300 • Eureka, CA 95501 • (707) 445-0893

□ 1116 Airport Park Blvd. • Ukiah, CA 95482 • (707) 462-3832

□ 270 Chestnut St., Suite A • Fort Bragg, CA 95437 • (707) 964-6387

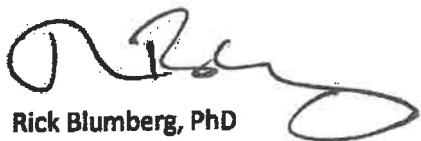
□ 1301 A Northcrest Dr. • Crescent City, CA 95531 • (707) 464-7488

□ 180 3rd St., Lakeport, CA 95453 • (707) 262-0470

RCRC continues to strongly support the acceptance of the Plan to mitigate any appearance of conflict of interest.

Thank you for your consideration of this Plan and Waiver request and we look forward to your reply.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rick Blumberg', with a large, stylized loop at the end.

Rick Blumberg, PhD  
Executive Director

RB/ko

Encls.

cc:

S. Perez

S. Wright, SCDD

RCDSC Board of Directors COI File

Reset Form

# CONFLICT OF INTEREST REPORTING STATEMENT DS 6016 (Rev. 08/2013)

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

## A. INFORMATION OF REPORTING INDIVIDUAL

Name: STEVEN V. PEREZ

Regional Center: Redwood Coast

Regional Center Position/Title: ☒ Governing Board Member  
☐ Vendor Advisory Committee sitting on Board  
☐ Contractor ☐ Agent

☐ Executive Director  
☐ Employee  
☐ Consultant

Reporting Status: ☐ Annual ☐ New Appointment (date): \_\_\_\_\_  
☐ Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

BOARD OF DIRECTORS

<sup>1</sup> Change of status includes a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, change in regional center or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

- ☒ Governing Board Member  
☐ Vendor Advisory on Board  
☐ Executive Director  
☐ Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
☒ yes ☐ no - If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local governmental entity, provide the specific name of the state or local governmental entity and describe your job duties at the state or local governmental entity.

*My wife is employed by Const Line Enterprises  
 DBA: Del Norte Association of Developmental Services*

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor? ☒ yes ☐ no - If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

*Same as #2. My wife provide care to our  
 Grand-daughter. Other than her salary, we hold  
 NO Financial Interest with this provider.*

4. Are you a regional center advisory committee board member? ☐ yes ☒ no - If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? ☐ yes ☐ no - If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? ☐ yes ☐ no - If yes, please explain.

*N/A*

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, parent-in-laws, brother-in-laws, sister-in-laws, son-in-laws and daughter-in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member?<sup>4</sup> [Note: Governing board members do not have to answer "yes" to this question if the financial benefit would be available to regional center consumers or their families generally].  
☐ yes ☒ no – If yes, please explain.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center? ☒ yes ☐ no – If yes, please explain.

Each year, Board members review/approve Service Provider contracts over the amount of \$250,000, per statute.

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center? ☐ yes ☒ no – If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☒ no – If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center? ☐ yes ☒ no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☐ no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

- ☒ Governing Board Member
- ☐ Vendor Advisory on Board
- ☐ Executive Director
- ☐ Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
☐ yes ☒ no — If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? ☐ yes ☒ no — If yes, please explain.

#### B. ATTESTATION

I, \_\_\_\_\_ (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature *Alison C. Perry* Date 8/15/18

#### INTERNAL USE ONLY

Date this Statement was received by Reviewer:

The reporting individual ☒ does ☐ does not have a ☐ present ☒ potential conflict of interest

Signature of Designated Reviewer

Date Review Completed

*Donna M. Executive Assistant* 8-27-18



**CONFLICT OF INTEREST REPORTING STATEMENT**  
**DS 6016 (Rev. 08/2013)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

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**A. INFORMATION OF REPORTING INDIVIDUAL**

Name: STEVEN V. PEREZ Regional Center: Redwood Coast

Regional Center Position/Title: ☒ Governing Board Member ☐ Executive Director  
☐ Vendor Advisory Committee sitting on Board ☐ Employee  
☐ Contractor ☐ Agent ☐ Consultant

Reporting Status: ☒ Annual ☐ New Appointment (date): \_\_\_\_\_  
☐ Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

Board of Directors

<sup>1</sup> Change of status includes a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, change in regional center, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).



- ☒ Governing Board Member  
☐ Vendor Advisory on Board  
☐ Executive Director  
☐ Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
☒ yes ☐ no – If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local governmental entity, provide the specific name of the state or local governmental entity and describe your job duties at the state or local governmental entity.

*My wife is employed by Coastline Enterprises  
 DBA: DNADS (Del Norte Association for Developmental  
 Service)*

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor? ☒ yes ☐ no – If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

*COASTLINE ENTERPRISES DBA: DNADS (DEL NORTE  
 ASSOCIATION FOR DEVELOPMENTAL SERVICES)*

4. Are you a regional center advisory committee board member? ☐ yes ☒ no – If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? ☐ yes ☐ no – If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? ☐ yes ☐ no – If yes, please explain.

*N/A*

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, parent-in-laws, brother-in-laws, sister-in-laws, son-in-laws and daughter-in-laws. See California Code of Regulations, title 17, sections 54505(i).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input checked="" type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member? <sup>4</sup> [Note: Governing board members do not have to answer "yes" to this question if the financial benefit would be available to regional center consumers or their families generally].  
☐ yes ☒ no — If yes, please explain.

7. Are you responsible for negotiating, making, <sup>5</sup> executing or approving contracts on behalf of the regional center? ☒ yes ☐ no — If yes, please explain.

Each year, Board members review/approve Service Provider contracts over the amount of \$250,000, per statute.

8. Do you have a financial interest in any contract <sup>6</sup> with the regional center? ☐ yes ☒ no — If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☒ no — If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center? ☐ yes ☒ no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☐ no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 64522 and 64527.

<sup>5</sup> California Code of Regulations, title 17, sections 64523(b)(2) and 64528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 64523 and 64528 define when financial interests in a contract will occur.

- ☒ Governing Board Member
- ☐ Vendor Advisory on Board
- ☐ Executive Director
- ☐ Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
☐ yes ☒ no - If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? ☐ yes ☒ no - If yes, please explain.

#### B. ATTESTATION

I, STEVEN V. PEREZ (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature *[Signature]* Date 1/16/18

#### INTERNAL USE ONLY

Date this Statement was received by Reviewers: 1-25-18

The reporting individual ☒ does ☐ does not have a ☐ present ☒ potential conflict of interest

Signature of Designated Reviewer

Date Review Completed

*[Signature]* Interim Exec. Asst.

1-25-18

## COUNCIL AGENDA ITEM DETAIL SHEET

**ISSUE:** Regional Center Conflict of Interest (COI)

**SUMMARY:** Amendments to the Lanterman Developmental Disabilities Services Act (Lanterman Act) made by Assembly Bill (AB) 1595<sup>1</sup> resulted in redefining the Area Boards into Regional Advisory Committees, changing their appointment authority and scope. Under its current process, the State Council on Developmental Disabilities (Council) is presented with a recommendation on the below conflict of interest resolution plan.

**BACKGROUND:** As outlined in Welfare and Institutions (W&I) Code sections 4500 et seq., the Lanterman Act requires regional centers to submit conflict of interest statements and proposed resolution plans to the Department of Developmental Services (DDS) and the Council.<sup>2</sup> As amended by AB 1595, the Lanterman Act provides that the Director of DDS may waive conflict of interest requirements of a contracting agency (i.e., a regional center) with approval of the State Council.<sup>3</sup>

The Council is being presented with information reviewed under the existing SCDD criteria and process approved by the Council. This approach provides for staff analysis of regional center conflict of interest issues.

**FACTS - RCDSC Board member Cynthia Swimm:** Cynthia Swimm is the current appointee of the Alliance Service Providers as the designated Vendor Advisory Committee<sup>4</sup> member of the Redwood Coast Developmental Services Corporation (RCDSC), which is the governing body of the Redwood Coast Regional Center (RCRC). Dr. Swimm is the Director/Behaviorist for the Lake County Office of Association of Behavior Consultants (ABC), which is a vendor of RCRC that provides direct services to RCRC clients.

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<sup>1</sup> Assem. Bill No. 1595 (2013-2014 Reg. Sess.)

<sup>2</sup> Welf. Inst. Code § 4626, subd. (f).

<sup>3</sup> Welf. & Inst. Code § 4268.

<sup>4</sup> Welfare & Institutions Code section 4622, subdivision (i) provides, "The governing board shall appoint an advisory committee composed of a wide variety of persons representing the various categories of providers from which the regional center purchases client services. The advisory committee shall provide advice, guidance, recommendations, and technical assistance to the regional center board in order to assist the regional center in carrying out its mandated functions. The advisory committee shall designate one of its members to serve as a member of the regional center board."

RCRC has a transparent public board member recruitment and appointment process which is subject to public review and engagement. Positions are announced through the regional self-advocacy groups, community groups, multi-media outlets and the agency website. All interested persons are encouraged to apply. Dr. Swimm has not previously requested a waiver.

## **DISCUSSION:**

**Conflict of Interest:** Department of Developmental Services (DDS) Regulation<sup>5</sup> 54520 provides in part that a conflict of interest exists when the board member, or a family member of a regional center board member, holds any of the below positions for a provider:

- (1) a governing board member;
- (2) a board committee member;
- (3) a director;
- (4) an officer;
- (5) an owner;
- (6) a partner;
- (7) a shareholder;
- (8) a trustee;
- (9) an agent;
- (10) an employee;
- (11) a contractor;
- (12) a consultant;
- (13) a person who holds any position of management; or
- (14) a person who has decision or policy making authority.

Dr. Swimm's conflict of interest arises because of her position as a Director and employee of RCRC's provider, ABC.<sup>6</sup> To address the conflict, Dr. Swimm submits the following Conflict of Interest Resolution Plan:

1. Dr. Swimm will abstain from voting on any RCDCS Board of Directors proceedings related to ABC and any other RCRC service provider vendorizations;

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<sup>5</sup> DDS' current regulations are published at California Code of Regulations, title 17, § 50201 et seq.

<sup>6</sup> Cal. Code Regs., title 17, § 54520, subds. (a)(3) and (10).

2. Dr. Swimm will not participate, individually or as a member of a committee or other group, in the development, presentation, or approval of any agency plans, policies, recommendations or contracts related to ABD or any other RCRC service provider vendorizations;
3. Dr. Swimm will abstain from any discussions regarding ABC and any other RCRC service provider vendorizations with the RCDSC Board of Directors;
4. Dr. Swimm will not use her position on the RCDSC Board of Directors to exert influence on any planning team decision related to services provided by ABC and any other RCRC service provider vendorizations;
5. The RCDSC Board President in conjunction with the RCRC Executive Director will be responsible for ensuring that the plan and its safeguards are applied and monitored.

Dr. Swimm's membership on the RCDSC Board of Directors appears to help RCRC meet the composition requirements set forth in W&I Code section 4622, and the proposed COI Resolution Plan mitigates concerns over a conflict of interest that could result from her employment with a RCRC vendor. Accordingly, the staff recommendation is to approve Dr. Swimm's waiver request.

**COUNCIL STRATEGIC PLAN OBJECTIVE:** None

**PRIOR COUNCIL ACTIVITY:** N/A

**STAFF RECOMMENDATION:** Approve Dr. Swimm's waiver request provided she does not participate in any decision that impacts her employment with ABC or other RCRC service provider vendorizations.

**ATTACHMENT:** Dr. Swimm's COI reporting statement and resolution plan.

**PREPARED BY:** Legal Counsel Adam Lewis, November 7, 2018.



# Redwood Coast Regional Center

Respecting Choice in the Redwood Community

August 27, 2018

Allan Smith  
Community Program Specialist II  
California Department of Developmental Services  
Regional Center Operations Section  
1600 9<sup>th</sup> Street, Room 340, MS 3-12  
Sacramento, CA 95814

RE: Request for Waiver of COI/Plan of Resolution for Cynthia Swimm (RCDSC Board Member)

Dear Allan,

I am submitting the Conflict of Interest Reporting Statement for Cynthia Swimm who is the current appointee of the Alliance of Service Providers as the designated Vendor Advisory Committee member of the RCDSC Board of Directors. Ms. Swimm lives in Lake County and is the Director/Behaviorist for the Lake County office of Association of Behavior Consultants (ABC) which is a vendored service by RCRC to provide any direct services to RCRC clients and a potential conflict of interest does exist.

The following safeguards will be mitigated and/or eliminate any present or potential conflict of interest will continue as follows:

1. Ms. Swimm will abstain from voting on any and all Board proceedings that are related to ABC and any other RCRC service provider vendorizations;
2. Ms. Swimm will not participate, individually or as a member of a committee or other group, in the development, presentation, or approval of any agency plans, policies, recommendations or contracts relating to ABC and any other RCRC service provider vendorizations;
3. Ms. Swimm will abstain from any discussions regarding ABC and any other RCRC service provider vendorizations with the RCDSC Board of Directors;
4. Ms. Swimm will not use her position on the RCDSC Board of Directors to exert influence on any planning team decision related to services provided by ABC and any other RCRC service provider vendorizations;
5. The RCDSC Board President in conjunction with the RCRC Executive Director will be responsible for ensuring that the plan and its safeguards are applied and monitored.

Page 1 of 2

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☑ 1116 Airport Park Blvd. • Ukiah, CA 95482 • (707) 462-3832

☐ 270 Chestnut St., Suite A • Fort Bragg, CA 95437 • (707) 964-6387

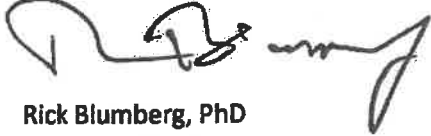
☐ 1301 A Northcrest Dr. • Crescent City, CA 95531 • (707) 464-7488

☐ 180 3rd St., Lakeport, CA 95453 • (707) 262-0470

RCRC continues to strongly support the acceptance of the Plan to mitigate any appearance of conflict of interest.

Thank you for your consideration of this Plan and Waiver request and we look forward to your reply.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rick Blumberg', written in a cursive style.

Rick Blumberg, PhD  
Executive Director

RB/ko  
Encls.

cc: C. Swimm  
S. Wright, SCDD  
RCDSC Board of Directors COI File



August 27, 2018

Allan Smith  
Community Program Specialist II  
California Department of Developmental Services  
Regional Center Operations Section  
1600 9<sup>th</sup> Street, Room 340, MS 3-12  
Sacramento, CA 95814

RE: Request for Waiver of COI/Plan of Resolution for Cynthia Swimm (RCDSC Board Member)

Dear Allan,

I am submitting the Conflict of Interest Reporting Statement for Cynthia Swimm who is the current appointee of the Alliance of Service Providers as the designated Vendor Advisory Committee member of the RCDSC Board of Directors. Ms. Swimm lives in Lake County and is the Director/Behaviorist for the Lake County office of Association of Behavior Consultants (ABC) which is a vendored service by RCRC to provide any direct services to RCRC clients and a potential conflict of interest does exist.

The following safeguards will be mitigated and/or eliminate any present or potential conflict of interest will continue as follows:

1. Ms. Swimm will abstain from voting on any and all Board proceedings that are related to ABC and any other RCRC service provider vendorizations;
2. Ms. Swimm will not participate, individually or as a member of a committee or other group, in the development, presentation, or approval of any agency plans, policies, recommendations or contracts relating to ABC and any other RCRC service provider vendorizations;
3. Ms. Swimm will abstain from any discussions regarding ABC and any other RCRC service provider vendorizations with the RCDSC Board of Directors;
4. Ms. Swimm will not use her position on the RCDSC Board of Directors to exert influence on any planning team decision related to services provided by ABC and any other RCRC service provider vendorizations;
5. The RCDSC Board President in conjunction with the RCRC Executive Director will be responsible for ensuring that the plan and its safeguards are applied and monitored.

Reset Form

# **CONFLICT OF INTEREST REPORTING STATEMENT** DS 6016 (Rev. 08/2013)

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

## **A. INFORMATION OF REPORTING INDIVIDUAL**

Name: Cynthia C. Strum Regional Center: Redwood Coast

Regional Center Position/Title: ☐ Governing Board Member ☐ Executive Director  
☒ Vendor Advisory Committee sitting on Board ☐ Employee  
☐ Contractor ☐ Agent ☐ Consultant

Reporting Status: ☐ Annual ☒ New Appointment (date: July 20<sup>th</sup>, 2013)  
☐ Change of Status

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

Lake County ~ Association of Behavior Consultants, Director/Behaviorist.  
Avenator of RCRC (Provide Day Programs to Adults)

\* Change of status includes a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or status, change in regional center or change in service position or duties. See California Code of Regulations, title 17, sections 54521(a) and 54532(c).

<input type="checkbox"/>	Governing Board Member
<input checked="" type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
☒ yes ☐ no - If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local governmental entity, provide the specific name of the state or local governmental entity and describe your job duties at the state or local governmental entity.

*Lake County - Association of Behavior Consultants -  
 Director/Behaviorist. (Day Program for Adults)  
 A vendor of RCRC*

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor? ☒ yes ☐ no - If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

*Lake County - Association of Behavior Consultants -  
 Director/Behaviorist. (Provide Day Programs for Adults)  
 A vendor of RCRC*

4. Are you a regional center advisory committee board member? ☒ yes ☐ no - If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? ☒ yes ☐ no - If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

*Lake County - Association of Behavior Consultants -  
 Director/Behaviorist. (Day program for Adults)  
 A vendor of RCRC.*

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? ☒ yes ☐ no - If yes, please explain.

*Abstain from this activity.*

<sup>2</sup> Family member includes your spouse, domestic partner, parents, step-parents, grandparents, siblings, step-siblings, children, stepchildren, grandchildren, parent-in-laws, brother-in-laws, sister-in-laws, son-in-law and daughter-in-law. See California Code of Regulations, title 17, sections 54505(b).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54502 and 54525.

- ☐ Governing Board Member  
☒ Vendor Advisory on Board  
☐ Executive Director  
☐ Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member? (Note: Governing board members do not have to answer "yes" to this question if the financial benefit would be available to regional center consumers or their families generally.)  
☐ yes ☒ no - If yes, please explain.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center? ☒ yes ☐ no - If yes, please explain.

Each year, Board members review/approve Service Provider contracts over the amount of \$250,000, per statute.

*Abstain from this activity.*

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center? ☒ yes ☐ no - If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☒ no - If yes, please explain.

*Los Angeles County - Association of Behavior Consultants  
 Director / Behaviorist (Provide Day Programs to Adults)  
 Vendor of RERC.*

9. Do any of your family members have a financial interest in any contract with the regional center? ☐ yes ☒ no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☐ no  
 If yes, please explain.

<sup>5</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54523.

<sup>6</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54523(b)(3) describes the types of conduct which constitute involvement in the making of a contract.

<sup>7</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54522 and 54523 outline when financial interests in a contract will occur.

- ☐ Governing Board Member
- ☒ Vendor Advisory on Board
- ☐ Executive Director
- ☐ Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
☐ yes ☒ no -- if yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? ☐ yes ☒ no -- if yes, please explain.

#### B. ATTESTATION

I, Cynthia C. Swimm (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature Cynthia C. Swimm Date August 11, 2018

#### INTERNAL USE ONLY

Date this Statement was received by Reviewer: \_\_\_\_\_

The reporting individual ☒ does ☐ does not have a ☒ present ☒ potential conflict of interest

Signature of Designated Reviewer

Date Review Completed

Sam Davis, Executive Assistant

8-14-18



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# **CONFLICT OF INTEREST REPORTING STATEMENT** **DS 6016 (Rev. 08/2013)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

## **A. INFORMATION OF REPORTING INDIVIDUAL**

Name: Gyatho C. Surman Regional Center: Redwood Coast

Regional Center Position/Title: ☐ Governing Board Member ☐ Executive Director  
☒ Vendor Advisory Committee sitting on Board ☐ Employee  
☐ Contractor ☐ Agent ☐ Consultant

Reporting Status: ☐ Annual ☒ New Appointment (date): July 20<sup>th</sup>, 2018  
☐ Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

Lake County - Association of Behavior Consultants, Director/Behaviorist.  
A vendor of RCRC (Provide Day Programs to Adults)

Change of status includes a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, change in regional center or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(a) and 54532(a).

- ☐ Governing Board Member  
☒ Vendor Advisory on Board  
☐ Executive Director  
☐ Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
☒ yes ☐ no - If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local governmental entity, provide the specific name of the state or local governmental entity and describe your job duties at the state or local governmental entity.

*Lake County - Association of Behavior Consultants -  
 Director/Behaviorist. (Day Program for Adults)  
 A vendor of RCRC*

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor? ☒ yes ☐ no - If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

*Lake County - Association of Behavior Consultants -  
 Director/Behaviorist. (Provide Day Programs for Adults)  
 A vendor of RCRC*

4. Are you a regional center advisory committee board member? ☒ yes ☐ no - If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? ☒ yes ☐ no - If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

*Lake County - Association of Behavior Consultants -  
 Director/Behaviorist. (Day program for Adults)  
 A vendor of RCRC.*

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? ☒ yes ☐ no - If yes, please explain.

*Abstain from this activity.*

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepchildren, children, stepchildren, grandchildren, parent-in-laws, brother-in-laws, sister-in-laws, son-in-laws and daughter-in-laws. See California Code of Regulations, title 17, sections 54503(f).

For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor, see the California Code of Regulations, title 17, sections 54520 and 54525.



- ☐ Governing Board Member  
☒ Vendor Advisory on Board  
☐ Executive Director  
☐ Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member?<sup>4</sup> [Note: Governing board members do not have to answer "yes" to this question if the financial benefit would be available to regional center consumers or their families generally].  
☐ yes ☒ no - If yes, please explain.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center? ☒ yes ☐ no - If yes, please explain.

Each year, Board members review/approve Service Provider contracts over the amount of \$250,000, per statute.

*Abstain from this activity.*

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center? ☒ yes ☐ no - If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☒ no - If yes, please explain.

*Los Angeles County - Association of Behavior Consultants,  
 Director/Behaviorist (Provide Day Programs to Adults)  
 Vendor of RCP.*

9. Do any of your family members have a financial interest in any contract with the regional center? ☐ yes ☒ no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☐ no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54523.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54524(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54524 define when financial interest in a contract will occur.

<input type="checkbox"/> Governing Board Member
<input checked="" type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
☐ yes ☒ no - If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? ☐ yes ☒ no - If yes, please explain.

#### B. ATTESTATION

Cynthia C. Swimm (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that; if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4526.

Signature

Cynthia C. Swimm

Date

August 11, 2018

#### INTERNAL USE ONLY

Date this Statement was received by Reviewer:

The reporting individual ☒ does ☐ does not have a ☐ present ☒ potential conflict of interest

Signature of Designated Reviewer

Londoni, Executive Assistant

Date Review Completed

8-14-18

# **SPONSORSHIP REQUEST**

## EXECUTIVE AGENDA ITEM DETAIL SHEET

**ISSUE:** Sponsorship request from Adaptive Learning Center.

**AMOUNT:** \$999.00

**BACKGROUND:** The California State Council on Developmental Disabilities (SCDD) supports events that promote self-advocacy, leadership and education, thereby enabling people with developmental disabilities and their family members to expand their knowledge and skills.

**ANALYSIS/DISCUSSION:** Adaptive Learning Center is requesting a sponsorship for the Employment IS an Option that will be held on Saturday, February 2, 2019 in Antioch, CA.

The community offers an annual "Going to College with a Disability" conference, as well as a couple of transition fairs with resources for students and their families as they prepare to leave the school system and move on to adult services. The Transition Task Force is a group of service providers, school district staff, Regional Center staff, and other community members who are interested in improving the experience of those transitioning to adult services. This year, the Task Force identified a need for an event specifically focused on Employment for students and young adults with disabilities. The "Employment IS an Option" is the committee's response to this need. It will be an overview/introduction to Employment. This will be a half-day event, consisting of three presentations as well as curated resources to accompany the presentations.

The event is to get young people and their families thinking about employment as a real option. "Employment" is not one-size-fits-all and this event will explore options and share stories creative ways individuals have found meaningful employment. For those not yet ready to move in to employment, we will discuss steps are they can take right now to prepare.

There will be three main presentations: Supporting Employment, Think Creatively, and Benefits. At the time of this sponsorship proposal, specific presenters have not been confirmed. Each of the three presentations will include subject matter experts, both a provider and a service recipient (or family member as appropriate).

This will be a first time for this event, so they don't have any past attendance numbers to base the estimate on. They are budgeting for 100 attendees, but the space will accommodate 150. They expect the majority (85%) to be students with disabilities and their families. Also, welcome will be service providers, school district transition staff, etc.

SCDD funds would be used to help defray the cost of filming and editing the event so that it may be used as a resource for those unable to attend.

**COUNCIL STRATEGIC PLAN GOAL/OBJECTIVE:** Individuals with developmental disabilities, their families and their support and/or professional staff will increase their knowledge and skills so as to effectively access needed educational and/or community-based services through at least 225 trainings, conferences, workshops, webinars, and/or resource materials developed by the Council on topics such as rights under IDEA, rights under California's Lanterman Act etc. on an annual basis.

**PRIOR COUNCIL ACTIVITY:** Since the beginning of FY 2018-19, the Council has awarded \$9,691 for sponsorship requests. The Council allocates \$25,000 per fiscal year for sponsorships. The fiscal year began July 1, 2018.

**STAFF RECOMMENDATION:** Approve Adaptive Learning Center's request for sponsorship.

**ATTACHMENTS(S):** Adaptive Learning Center's request for sponsorship.

**PREPARED:** Kristie Allensworth      November 2, 2018



**ADAPTIVE LEARNING CENTER**  
A Key to Individual Potential

3227 Clayton Road, Concord, CA 94519 Ph (925) 827-3863 Fax (925) 827-4080

10/3/18

To the State Council on Developmental Disabilities,

I am writing to request a sponsorship to assist with the cost of recording and editing an event which will be offered here in Contra Costa County in February of 2019. This event is being planning by the Transition Task Force, a voluntary coalition of service providers, school and regional center staff and other individuals interested in the transition from school to adult services. The Adaptive Learning Center acts as the fiscal agent for this event. The following is a list of organizations on the Transition Task Force:

- MDUSD, co-chair
- RCEB, co-chair
- Ability Now
- Acalanes Union HS District
- Adaptive Learning Center
- Care Parent Network
- Contra Costa DD Council
- MDUSD Adult Ed
- Spectrum
- SRVUSD

Below you will find answers to the questions posted on your Sponsorship Policy.

**a. The name, date, location and description of your event/conference**

Employment IS an Option!  
Saturday, February 2, 2019  
Somersville Towne Center  
2550 Somersville Rd.  
Antioch, CA 94509

Our community offers an annual "Going to College with a Disability" conference, as well as a couple of transition fairs with resources for students and their families as

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they prepare to leave the school system and move on to adult services. The Transition Task Force is a group of service providers, school district staff, Regional Center staff, and other community members who are interested in improving the experience of those transitioning to adult services. In the past, the Task Force has created a mini-conference, and also offered a series of presentations on various topics related to transition. This year, the Task Force identified a need for an event specifically focused on Employment for students and young adults with disabilities. The "Employment IS an Option" is the committee's response to this need. It will be an overview/introduction to Employment. This will be a half-day event, consisting of three presentations as well as curated resources to accompany the presentations.

**b. How this event/conference will increase the ability of consumers and family members to exercise control, choice and flexibility in the services and supports they receive, including a description of the specific way SCDD's funding would be utilized**

This event is designed as a high level overview or introduction on various aspects of Employment for individuals with I/DD. There will be three main presentations (these are working titles, final presentation titles are subject to change):

*"Benefits"* Service providers frequently hear concerns from clients and their families that earning income will have a negative effect on their benefits such as SSI, Housing subsidies/Section 8, or MediCal. This presentation will address some of those concerns or misunderstandings and also aims to help folks set their sights higher than just receiving public benefits.

*"Supporting Employment"* will answer questions such as:

- How does this look from age 16-18, 18-22, after 22?
- What is the role of each player (School, Regional Center, Dept. of Rehab, other?)
- Who helps folks get a job, who helps them keep a job?
- How can students prepare starting at whatever stage they are at now? (Using ITP, volunteering, skills for interviewing, etc.)
- Info on programs such as Project Search, Paid Internships

*"Thinking Creatively"* will explore options other than what we might think of as traditional employment. Options discussed will be self-employment, "gig" jobs,

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customized employment, etc. This presentation will share specific examples of clients finding success in each of these categories.

The event is to get young people and their families thinking about employment as a real option. "Employment" is not one-size-fits-all and this event will explore options and share stories creative ways individuals have found meaningful employment. For those not yet ready to move in to employment, we will discuss steps are they can take right now to prepare.

If this sponsorship is granted, the funds will be used to offset the cost of filming and editing the event so that it may be used as a resource for those unable to attend. The filming and editing will be done by Futures Explored Practical Film and Media Workshop ([http://www.futures-explored.org/film\\_workshop\\_home.html](http://www.futures-explored.org/film_workshop_home.html)) which is a vocational program that assists individuals with developmental disabilities with learning film production, multimedia development, and supporting role skills for positions which can help lead to employment in the Film and Media Industry.

The total cost to film and edit this event is \$1500. The SCDD sponsorship will be used to offset this expense. The finished product will then be available to post to YouTube for viewing by anyone interested. This funding will allow the information to reach a much bigger audience than will be able to attend in person.

**c. How many presenters or panelists will participate in the event and what number of the presenters or panelists will be consumers**

There will be three main presentations. At the time of this sponsorship proposal, specific presenters have not been confirmed. Each of the three presentations will include subject matter experts, both a provider and a service recipient (or family member as appropriate).

Additionally, food will be catered by Huckleberry Kitchen (<http://www.huckleberrykitchen.com/>), a catering company that teaches skills leading to careers for adults with developmental disabilities.

While this is a relatively small-scale event, the planning committee is motivated to support our community and supporting these local vocational programs is a great way to do so.

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d. The number and type of expected attendees (i.e. teachers, providers, Page 2 of 2 Approved: April 14, 2015 administrators, etc.), including how many of those attendees are expected to be consumers and family members

This will be a first time for this event, so we don't have any past attendance numbers to base our estimate on. We are budgeting for 100 attendees, but the space will accommodate easily 150. We expect the majority (85%) to be students with disabilities and their families. Also welcome will be service providers, school district transition staff, etc.

e. How you will conduct outreach to increase consumer and family involvement in the conference

All of the various planning committee participants maintain mailing lists and distribution channels which will be utilized. Information will be emailed out, and also posted on agency websites. Specific outreach will be done for the local school districts as this is an area of our county that traditionally is under-served. We have decided to hold this event in the east part of Contra Costa in order to better allow for attendance from clients in the east and far east area of the county.

f. A complete and total budget, including the amount you are requesting (\$999 limit), details on the amount and sources of other funds solicited or obtained

<b>Projected Expenses</b>	
Venue- Somersville Mall, Antioch, in kind donation from CaliforniaSibs, a community partner	0
Printing of Conference Handouts/Materials, in kind donation from DD Council, a conference partner	0
Speaker Honoraria	600
Food/Refreshments- Huckleberry Cafe	800
Recording of event- Inclusion Films	1500
Event supplies (folders, signage, check-in materials, name tags, pens, etc.)	150
<b>Total Projected Expenses</b>	<b>3050</b>
<b>Projected Funding</b>	
Registration fees (100 individuals at \$15 each)	1500
Balance carried forward from past years event	1550

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<b>Total Projected Funding</b>	<b>3050</b>
<b>Amount requested from SCDD to offset cost of recording event</b>	<b>999</b>

**g. A list of other SCDD sponsorships and grants you have previously requested and/or received**

None

**h. A letter of recommendation from a consumer and/or family organization that supports your efforts to improve consumer and family self-advocacy.**

Please see attached support letter from Hilary Shen, Parent Liaison, Special Education, Mount Diablo School District.

Thank you for your consideration of this request. The Transition Task Force looks forward to offering this event, and especially the possibility of having it recorded to reach an even wider audience.

Sincerely,



**Donna Feingold**  
Executive Director

Email: [info@alc-ca.org](mailto:info@alc-ca.org)  
[www.alc-ca.org](http://www.alc-ca.org)



## **Sponsorship Request Application Checklist**

The checklist below will help you identify the information needed to complete the sponsorship request application. We suggest you print this page to use while you gather information for the sponsorship application.

To allow sufficient time for processing and review, we recommend that sponsorship requests be submitted at least 3 months before an event. Please submit this checklist with the sponsorship request application.

### **Information Checklist**

- ☒ Name of your Company/Organization
- ☒ Name of Project/Event/Program
- ☒ Project/Event Date
- ☒ Contact Name
- ☒ Contact Email, Address and Phone Number
- ☒ Amount of Funding Requested
- ☒ Approximate Total Cost of Project/Event
- ☒ The answer to this question: How this event/conference will increase the ability of consumers and family members to exercise control, choice and flexibility in the services and supports they receive, including a description of the specific way SCDD's funding would be utilized
- ☒ Event/Program Objectives
- ☒ Target Audience: The number and type of expected attendees (i.e. teachers, providers, administrators, etc.), including how many of those attendees are expected to be consumers and family members
- ☒ The answer to this question: How many presenters or panelists will participate in the event and what number of the presenters or panelists will be consumers
- ☒ A list of other sponsors/major contributors
- ☒ The answer to this question: How you will conduct outreach to increase consumer and family involvement in the conference
- ☒ Have you included a complete and total budget, including the amount you are requesting (\$999 limit), details on the amount and sources of other funds solicited or obtained

- ☒ Have you included a list of other SCDD sponsorships and grants you have previously requested and/or received
- ☒ Have you included a letter of recommendation from a consumer and/or family organization that supports your efforts to improve consumer and family self-advocacy

# **COUNCIL POLICIES**



## **SCDD SPONSORSHIP POLICIES AND PROCEDURES**

The California State Council on Developmental Disabilities (SCDD) supports events that promote self-advocacy, leadership and education, thereby enabling people with developmental disabilities and their family members to expand their knowledge and skills. Toward that goal, organizations may apply for Council sponsorships for events that promote consumer and family self-advocacy. The Council will give special consideration to entities that provide free or discounted services or event registration fees to consumers and their families or offer other help so that consumers and their families can fully participate. The Council especially seeks to support events where consumers participate as panelists and presenters.

### **Section 1**

Agencies and organizations may apply for a sponsorship. To apply, the agency/organization must:

1. Submit a signed written request to the SCDD **at least 90 days** before the event. Request must be signed by an individual with authority to represent the agency/organization and the responsibility to ensure that all sponsorship requirements are met.

The request must include this information:

- a. The name, date, location and description of your event/conference;
- b. How this event/conference will increase the ability of consumers and family members to exercise control, choice and flexibility in the services and supports they receive, including a description of the specific way SCDD's funding would be utilized;
- c. How many presenters or panelists will participate in the event and what number of the presenters or panelists will be consumers;
- d. The number and type of expected attendees (i.e. teachers, providers,

Approved: April 14, 2015

- administrators, etc.), including how many of those attendees are expected to be consumers and family members;
- e. How you will conduct outreach to increase consumer and family involvement in the conference;
  - f. A complete and total budget, including the amount you are requesting (~~\$999~~ **\$1,500 limit**), details on the amount and sources of other funds solicited or obtained;
  - g. A list of other SCDD sponsorships and grants you have previously requested and/or received; and
  - h. A letter of recommendation from a consumer and/or family organization that supports your efforts to improve consumer and family self-advocacy.
2. During the event, provide acknowledgement that consumer and family participation in the event is made possible, in part, with funding from the California State Council on Developmental Disabilities.

## Section 2

Applicants should be aware of the following:

1. The Council is responsible for all Sponsorship decisions.
2. All requests are subject to the availability of funds, and are paid as reimbursements in arrears, in accordance with State administrative procedures.
3. No portion of funds awarded may be used for lobbying or campaign activities, any event that is solely a fundraising event, or non-event related overhead expenses of the agency/organization.
4. No portion of funds awarded may be earmarked for payments for travel by any individual(s) or for conference registration fees for any individual(s). However, there is an exception if the individual is officially performing services for the State of California and all State of California rules are met.
5. Funds shall not be used to purchase food or beverages nor to purchase free giveaway or gift items commonly referred to as S.W.A.G ("stuff we all get") such as water bottles, t-shirts, key chains, etc. unless such items qualify as advocacy, capacity building, or systems change materials as approved by the Executive Director.

## **COUNCIL AGENDA ITEM DETAIL SHEET**

**ISSUE:** How does the Council wish to address former Councilmember who have applied to their local Regional Advisory Committee (RAC)?

**SUMMARY:** Councilmembers may service two 3-year terms. In a desire to continue their involvement with SCDD, some former Councilmembers have applied to serve on their local RAC. The Council does not have guideline in place to address this issue.

**DISCUSSION:** Welfare and institution Code Section 4521(d) specifies the term limits of the Ste Council. The term of each self or family advocate member and the representative of a non-governmental organization shall be for three years, with the term beginning on the date of appointment to the first term. These members may serve no more than two terms. A member may continue to serve following the expiration of his or her term until the Governor appoints that member's replacement successor.

Councilmember whose terms have expired and are no longer eligible to server, but wish to continue their involvement with SCDD, have subsequently applied to serve on their local Regional Advisory Committee. Pursuant to the RAC Policy Guidelines, each RAC member serves at the pleasure of the Council and each individual is eligible for two 3-year terms.

A role of the Council is to develop the capacity of family and self-advocates. The Council has a desire to create opportunities for future leaders while also fostering current leaders. PACs are often seen as places for individuals to develop leadership skills. The Council has not discussed or decided the question as to whether former Councilmembers returning to serve on RACs continue or hinders the Council's role I this area. This may also apply to service on local Self-Determination Advisory Committees (SDAC).

The Membership Committee considered these options:

1. Allow former Councilmembers to be appointed to their local RAC/SDAC immediately after expiring off the Council if that members applies and is appointed by the Council's Membership Committee.
2. Allow former Councilmembers to be appointed to their local RAC/SDAC after a waiting period.



3. Do not allow former Councilmembers to be appointed to their local RAC/SDAC.

The Membership Committee recommended option #1 and both the Administrative Committee and Executive Committee agreed with this recommendation.

**COUNCIL STRATEGIC PLAN OBJECTIVE:** Goal 1: Self-Advocacy.

**ATTACHMENTS:** None

**PREPARED BY:**

8/16/18: Scarlett vonThenen, Orange County Regional Office.

Updated:

10/26/18: Robin Maitino, HQ

## **COUNCIL MEETING AGENDA ITEM DETAIL SHEET**

**ISSUE:** Councilmember Administrative Policies

**BACKGROUND:** In March 2018 a Sub-Committee was created to review and amend current Councilmember Administrative Policies. In May 2018, the Sub-Committee was dissolved and the Administrative Committee was tasked to continue working on updating the Policies. The Administrative Committee has since met twice before sending the Policies to the Executive Committee on November 5, 2018.

**ANALYSIS/DISCUSSION:** Since April 2018, three Committees/Sub-Committees and multiple staff have worked on updating/creating current and needed administrative policies pertaining to Councilmembers. The draft manual will be handed out to Councilmembers at the November Council meeting. Council Chair Sandra Smith is requesting that Councilmembers review the Policies and provide feedback to Executive Director Aaron Carruthers and Council Chair Sandra Smith by December 14, 2018. Chair Sandra Smith is also recommending that the Council delegate authority to the Executive Committee for final approval of the Councilmember Administrative Policies after incorporation of feedback. If the Council agrees, the Executive Committee will approve on February 12<sup>th</sup>.

**COUNCIL STRATEGIC PLAN OBJECTIVE:** N/A

**PRIOR COMMITTEE ACTIVITY:** April 19, 2018, a draft of the Councilmember Administrative Policies along with a list of needed and existing policies was submitted to the Policies and Procedures Subcommittee. On May 10, 2018, the Sub-Committee met and reviewed and provided feedback on staff's work to the policies since the April meeting. On July 18<sup>th</sup> and October 17<sup>th</sup>, the Administrative Committee met and reviewed subsequent revisions before approving with changes and moving forward to the Executive Committee for review.

**RECOMMENDATION(S):** Delegate authority to the Executive Committee to review and approve the final version of the Councilmember Administrative Policies manual once Councilmember feedback is received.

**ATTACHMENTS(S):** None

**PREPARED:** Robin Maitino, November 16, 2018

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# **LEGISLATIVE PLATFORM**

## LEGISLATIVE PLATFORM 2019-20208

### ABOUT THE STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Close to fifty years ago, the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act) established in federal statute, State Councils on Developmental Disabilities in each of the 56 states and territories to “promote self-determination, independence, productivity, integration, and inclusion in all aspects of community life” for people with intellectual and developmental disabilities (I/DD) and their families. The Lanterman Act established the California State Council on Developmental Disabilities (Council) to fulfill those rights through advocacy, capacity building, and systems change.

The Council is comprised of 31 members appointed by the Governor, including individuals with disabilities and their families, and representatives from the DD Act partners (Disability Rights California, the 3 University Centers for Excellence in Developmental Disabilities), and mandated state agencies that provide services and supports to people with I/DD.

To implement the rights in the DD Act, the Council develops and implements a five-year state plan that contains goals, objectives, and strategies designed to improve and enhance the availability and quality of services and supports. In addition to the Council’s Sacramento headquarters, regional offices support individuals with I/DD and their families through activities such as advocacy, training, monitoring, and disseminating and collecting public information. The Council works with policymakers and other stakeholders to ensure policies pertaining to the rights of individuals are protected and enhanced by ensuring people with I/DD are able to can experience equality of opportunity, full participation, independent living, and economic self-sufficiency. These four pillars are enshrined in the Americans with Disabilities Act of 1990 (ADA). The Council supports the full and robust implementation and enhancement of recent federal policies that enshrine the values of the ADA, such as the Workforce Innovation and Opportunities Act (WIOA), Home and Community-Based Services Setting Rule (HCBS), Every Student Succeeds Act (ESSA) and Achieving Better Life Experience (ABLE) Act.

The Council believes that individuals with I/DD and their families must be included and consulted in all aspects of the policy making process to ensure their needs are adequately and appropriately addressed. The Council works to address disparities in access, outcomes, and quality for all services and supports. The Council believes in ensuring transparency and accountability for state and federal programs providing services and supports to people with I/DD. Furthermore, the Council believes that complexities in the service delivery system must be reduced, and that assistance in navigating services and supports should be provided to people with I/DD and their families. The State of California must ensure that funding is used to achieve positive outcomes for individuals with I/DD and their families.

Disparities in services and supports can result in severe health, economic, and quality of life consequences. Accordingly, services and supports must be distributed equitably so that individual needs are met in a culturally appropriate and linguistically competent manner, regardless of race, ethnicity, or income, intellectual ability, age, and geographic location. Materials shall be provided in plain language.

## PROMISE OF THE LANTERMAN ACT

The Lanterman Act promises to honor the needs and choices of individuals with I/DD by establishing an array of quality services throughout the state. Services shall support people to live integrated, productive lives in their communities. Access to needed services and supports must not be undermined through categorical service elimination, service caps, means testing, or family cost participation fees and other financial barriers. California must not impose artificial limitations, delays or reductions in community-based services and supports that would compromise the health and safety of persons with I/DD.

## SELF-DETERMINATION

Individuals with I/DD and their families must be given the option to control their service dollars and their services through Self-Determination. The person with I/DD is in charge. With the support of those they choose and trust, people with I/DD and their families are ~~best-suited to understand~~ empowered to develop their own unique needs, develop their own life goals, and construct those services and supports most appropriate to reach their full potential. The process begins with a Person Centered Plan (PCP) which details their unique needs, competencies, and aspirations. Self-Determination gives individuals the tools and the basic human right to pursue life, liberty, and happiness in the ways that they choose.

## SELF-ADVOCACY

Individuals with I/DD must be ~~supported to exert maximum control over~~ in charge of their lives and be respected for the choices made. They must be provided the opportunity and support to be ~~heard, and heard and~~ be leaders in the service system and society, including voting and other civic responsibilities. Self-~~a~~Advocates must have access to training, plain language materials, and policy making opportunities.

## EMPLOYMENT AND ECONOMIC SELF-SUFFICIENCY

Employment in the community, at least minimum wage or above, is known as competitive integrated employment (CIE). CIE is the priority outcome for working age individuals with I/DD, regardless of the severity of their disability. CIE provides every person a chance to build relationships with co-workers, be a part of the community, and contribute to the local economies. It reduces poverty and reliance on state support and leads to greater self-sufficiency. The Council supports the full and robust implementation of ~~the Workforce Investment Opportunity Act (WIOA), Home and Community-Based Services Setting Rule (HCBS), Achieving Better Life Experience (ABLE) Act, and California's Employment First Law.~~

~~CIE is the priority outcome for working age individuals with I/DD, regardless of the severity of their disability.~~ Transition planning should begin as early as possible. Policies and practices must set expectations for integrated employment, microenterprise training, self-employment, and promote collaboration between local agencies, state agencies, and remove barriers to CIE through access to information, benefits counseling, job training, inclusive postsecondary education, and appropriate provider rates that incentivize quality employment outcomes. The Council supports the phasing out and elimination of subminimum wage and/or segregated employment for all individuals with I/DD.

## TRANSPORTATION

Access to transportation is essential to the education, employment, and inclusion of individuals with disabilities. Timely accommodations must be available to the I/DD community that are available to the public at-large. Mobility training must be a standard program among transportation providers to increase the use of available transportation and reduce reliance on costlier segregated systems. Barriers between geographic areas and transportation systems must be addressed so people with I/DD can travel as safely and easily as people without disabilities.

## HEALTH CARE

Every person must have access to comprehensive, timely, quality, affordable health care, dental care, and wellness services, and access to plain language information and supports to make informed decisions about their health care. This requires informed consent, individualized, appropriate medication, treatments, and an adequate network of health professionals. It also includes people with multiple health care needs, those who require routine preventative care, mental and/or behavioral health treatment, dental care, durable medical equipment, and these with reproductive health issuesneeds. Service system complexities must not delay, reduce or deny access to be reducedservices. Individuals must be reimbursed for insurance co-pays, co-insurance, and deductibles when their health insurance covers therapies that are on their Individual Program Plans (IPPs).

## EDUCATION

Every student has the right to be safe in school and to receive a quality education with their peers that prepares them for post-secondary education and/or meaningful employment in the community. Schools must ensure robust implementation of the Individuals with Disabilities Education Act (IDEA), Every Student Succeeds Act (ESSA), and other federal and state laws and regulations, to ensure that students with I/DD receive a free appropriate public education (FAPE).

Students with disabilities will be educated alongside their non-disabled peers without disabilities in the least restrictive environment. Comprehensive transition planning must be considered part of the IEPP process. School districts and other educational agencies must be held accountable for implementing the letter and the intent of all state and federal laws. Parents and students must have equal participation in the Individual Education Programlan (IEP) process, including the ability to give informed consent. Transparency is paramount.

Teachers, school leaders, paraprofessionals and other school-based professionals must be trained to use valid, positive, and proactive practices, such as individualized school-wide positive behavior interventions and supports, with fidelity. The needs of the student must not impact the child's placement in the least restrictive environment. The Council opposes the use of all forms of seclusion and restraint.

## HOUSING

Statewide cCommunity integrated living options for individuals with I/DD must be increased and enhanced through access to housing subsidy programs and subsidies and Ccommunity education and integration must be provided to reduce discrimination. Permanent, affordable, accessible, and sustained housing options must be continually developed to meet both current and future needs.



## COMMUNITY PARTICIPATION

Individuals with I/DD must have access to and be fully supported to fully participate in their communities, with their peers without disabilities, through opportunities in all areas of community life including education, employment, recreation, organizational affiliations, spiritual development, and civic responsibilities.

## TRANSITION TO ADULT LIFE

All services, including education, rehabilitation, and regional center services, must support students to transition to competitive integrated employment, post-secondary education or other opportunities that will lead to meaningful employment in the community. Transition services must be considered at the earliest possible opportunity and across the lifespan. Adults with I/DD must have access to meaningful activities of their choice with the appropriate services and supports.

## SAFETY

All people have a right to be safe. People with I/DD need emergency preparedness training. Individuals with I/DD experience a much greater rate of victimization and a far lower rate of prosecution for crimes against them. The same level of due process protections must be provided to all people. Individuals with I/DD should be trained in personal safety, how to protect themselves against becoming victims of crime, and how their participation in identification and prosecution can make a difference. In addition, to many interactions between law enforcement and people with I/DD end in avoidable tragedy. Law enforcement personnel, first responders, and the judicial system must be trained in how to work with people with I/DD during the course of their duties, including those who are suspects, victims or witnesses of crimes.

## QUALITY AND RATES FOR SERVICES AND SUPPORTS

Having access to and receiving quality services and supports is the cornerstone for people with I/DD to be safe, healthy, and to promoting self-determination, independence, and inclusion in all aspects of community life. The State of California must ensure that funding is used to achieve positive outcomes for individuals with I/DD and their families. An adequate safety net must be in place to quickly and timely address medical, psychiatric/mental health, behavioral, residential, staffing, equipment, or other needs when those services or supports fail, are interrupted, are not available, or additional services and supports are necessary for urgent or immediate need.

The state must streamline burdensome and duplicative regulations and processes that do not lead to positive outcomes for people with I/DD and their families. Quality and timely assessment and oversight must be provided by the state; it must measure what matters, be administered in a culturally competent manner, and the results made public and used to improve the system of services and supports.

The state must restore rates to adequately support the availability of quality services for people with all disabilities. A planned and systematic approach to rate adjustments must prioritize and incentivize services and supports.

## LEGISLATIVE PLATFORM 2019-2020

### ABOUT THE STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Close to fifty years ago, the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act) established in federal statute, State Councils on Developmental Disabilities in each of the 56 states and territories to “promote self-determination, independence, productivity, integration, and inclusion in all aspects of community life” for people with intellectual and developmental disabilities (I/DD) and their families. The Lanterman Act established the California State Council on Developmental Disabilities (Council) to fulfill those rights through advocacy, capacity building, and systems change.

The Council is comprised of 31 members appointed by the Governor, including individuals with disabilities and their families, and representatives from the DD Act partners (Disability Rights California, the 3 University Centers for Excellence in Developmental Disabilities), and mandated state agencies that provide services and supports to people with I/DD.

To implement the rights in the DD Act, the Council develops and implements a five-year state plan that contains goals, objectives, and strategies designed to improve and enhance the availability and quality of services and supports. In addition to the Council’s Sacramento headquarters, regional offices support individuals with I/DD and their families through activities such as advocacy, training, monitoring, and disseminating and collecting public information. The Council works with policymakers and other stakeholders to ensure policies pertaining to the rights of individuals are protected and enhanced by ensuring people with I/DD can experience equality of opportunity, full participation, independent living, and economic self-sufficiency. These four pillars are enshrined in the Americans with Disabilities Act of 1990 (ADA). The Council supports the full and robust implementation and enhancement of recent federal policies that enshrine the values of the ADA, such as the Workforce Innovation and Opportunities Act (WIOA), Home and Community-Based Services Setting Rule (HCBS), Every Student Succeeds Act (ESSA) and Achieving Better Life Experience (ABLE) Act.

The Council believes that individuals with I/DD and their families must be included and consulted in all aspects of the policy making process to ensure their needs are adequately and appropriately addressed. The Council works to address disparities in access, outcomes, and quality for all services and supports. The Council believes in ensuring transparency and accountability for state and federal programs providing services and supports to people with I/DD. Furthermore, the Council believes that complexities in the service delivery system must be reduced, and that assistance in navigating services and supports should be provided to people with I/DD and their families. The State of California must ensure that funding is used to achieve positive outcomes for individuals with I/DD and their families.

Disparities in services and supports can result in severe health, economic, and quality of life consequences. Accordingly, services and supports must be distributed equitably so that individual needs are met in a culturally appropriate and linguistically competent manner, regardless of race, ethnicity, income, intellectual ability, age, and geographic location. Materials shall be provided in plain language.

## **PROMISE OF THE LANTERMAN ACT**

The Lanterman Act promises to honor the needs and choices of individuals with I/DD by establishing an array of quality services throughout the state. Services shall support people to live integrated, productive lives in their communities. Access to needed services and supports must not be undermined through categorical service elimination, service caps, means testing, or family cost participation fees and other financial barriers. California must not impose artificial limitations, delays or reductions in community-based services and supports that would compromise the health and safety of persons with I/DD.

## **SELF-DETERMINATION**

Individuals with I/DD and their families must be given the option to control their service dollars and their services through Self-Determination. The person with I/DD is in charge. With the support of those they choose and trust, people with I/DD and their families are empowered to develop their own unique needs, develop their own life goals, and construct those services and supports most appropriate to reach their full potential. The process begins with a Person Centered Plan (PCP) which details their unique needs, competencies, and aspirations. Self-Determination gives individuals the tools and the basic human right to pursue life, liberty, and happiness in the ways that they choose.

## **SELF-ADVOCACY**

Individuals with I/DD must be in charge of their lives and be respected for the choices made. They must be provided the opportunity and support to be heard and be leaders in the service system and society including voting and other civic responsibilities. Self-advocates must have access to training, plain language materials, and policy making opportunities.

## **EMPLOYMENT AND ECONOMIC SELF-SUFFICIENCY**

Employment in the community, at least minimum wage or above, is known as competitive integrated employment (CIE). CIE is the priority outcome for working age individuals with I/DD, regardless of the severity of their disability. CIE provides every person a chance to build relationships with co-workers, be a part of the community, and contribute to the local economies. It reduces poverty and reliance on state support and leads to greater self-sufficiency. The Council supports the full and robust implementation of California's Employment First Law.

Transition planning should begin as early as possible. Policies and practices must set expectations for integrated employment, microenterprise training, self-employment, and promote collaboration between local agencies, state agencies, and remove barriers to CIE through access to information, benefits counseling, job training, inclusive postsecondary education, and appropriate provider rates that incentivize quality employment outcomes. The Council supports the phasing out and elimination of subminimum wage and/or segregated employment for all individuals with I/DD.

## **TRANSPORTATION**

Access to transportation is essential to the education, employment, and inclusion of individuals with disabilities. Timely accommodations must be available to the I/DD community that are available to the public at-large. Mobility training must be a standard program among

transportation providers to increase the use of available transportation and reduce reliance on costlier segregated systems. Barriers between geographic areas and transportation systems must be addressed so people with I/DD can travel as safely and easily as people without disabilities.

## HEALTH CARE

Every person must have access to comprehensive, timely, quality, affordable health care, dental care, and wellness services, and access to plain language information and supports to make informed decisions about their health care. This requires informed consent, individualized, appropriate medication, treatments, and an adequate network of health professionals. It also includes people with multiple health care needs, those who require routine preventative care, mental and/or behavioral health treatment, dental care, durable medical equipment, and reproductive health needs. Service system complexities must not delay, reduce or deny access to services. Individuals must be reimbursed for insurance co-pays, co-insurance, and deductibles when their health insurance covers therapies that are on their Individual Program Plans (IPPs).

## EDUCATION

Every student has the right to be safe in school and to receive a quality education with their peers that prepares them for post-secondary education and/or meaningful employment in the community. Schools must ensure robust implementation of the Individuals with Disabilities Education Act (IDEA), Every Student Succeeds Act (ESSA), and other federal and state laws and regulations, to ensure that students with I/DD receive a free appropriate public education (FAPE).

Students with disabilities will be educated alongside their peers without disabilities in the least restrictive environment. Comprehensive transition planning must be considered part of the IEP process. School districts and other educational agencies must be held accountable for implementing the letter and the intent of all state and federal laws. Parents and students must have equal participation in the Individual Education Program (IEP) process, including the ability to give informed consent.

Teachers, school leaders, paraprofessionals and other school-based professionals must be trained to use valid, positive, and proactive practices, such as individualized school-wide positive behavior interventions and supports, with fidelity. The needs of the student must not impact the child's placement in the least restrictive environment. The Council opposes the use of all forms of seclusion and restraint.

## HOUSING

Statewide community integrated living options for individuals with I/DD must be increased and enhanced through access to housing programs, and subsidies. Community education and integration must be provided to reduce discrimination. Permanent, affordable, accessible, and sustained housing options must be continually developed to meet both current and future needs.

## COMMUNITY PARTICIPATION

Individuals with I/DD must have access to and be fully supported to fully participate in their communities, with their peers without disabilities, through opportunities in all areas of community life including education, employment, recreation, organizational affiliations, spiritual development, and civic responsibilities.

## TRANSITION TO ADULT LIFE

All services, including education, rehabilitation, and regional center services, must support students to transition to competitive integrated employment, post-secondary education or other opportunities that will lead to meaningful employment in the community. Transition services must be considered at the earliest possible opportunity and across the lifespan. Adults with I/DD must have access to meaningful activities of their choice with the appropriate services and supports.

## SAFETY

All people have a right to be safe. People with I/DD need emergency preparedness training. Individuals with I/DD experience a much greater rate of victimization and a far lower rate of prosecution for crimes against them. The same level of due process protections must be provided to all people. Individuals with I/DD should be trained in personal safety, how to protect themselves against becoming victims of crime, and how their participation in identification and prosecution can make a difference. In addition, to many interactions between law enforcement and people with I/DD end in avoidable tragedy. Law enforcement personnel, first responders, and the judicial system must be trained in how to work with people with I/DD during the course of their duties, including those who are suspects, victims or witnesses of crimes.

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The state must restore rates to adequately support the availability of quality services for people with all disabilities. A planned and systematic approach to rate adjustments must prioritize and incentivize services and supports.

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# **PUBLIC CHARGE**

# Proposed changes to federal rules for "Public Charge", an immigration policy that hurts people with disabilities

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Oct 31, 2018



## What is "Public Charge?"

"Public charge" refers to an immigrant who is considered likely to be dependent on public benefits from the United States government.

On October 10, 2018, the Department of Homeland Security (DHS) proposed changes to federal public charge regulations. Those changes threaten access to health and other important benefits for immigrants. The proposed changes add specific standards for income, health, age, and even English proficiency, and expand the types of public assistance that are counted in a public charge determination. As drafted these proposed changes may vastly increase the number of people who could be deported or refused entry.

## How the public charge policy is applied today

The current definition of "public charge" is a person who has become or is likely to become primarily dependent on the government for subsistence. The only benefits currently considered in the public charge test are:

- Cash assistance such as Supplemental Security Income (SSI), Temporary Assistance for Needy Families (TANF) and comparable state or local programs.



- Government-funded long-term institutional care (for example, nursing home care paid for by Medi-Cal).

## How the public charge rules could change

The new public charge regulations would affect many more public benefits programs and would particularly harm immigrants with disabilities, including children and seniors. If the proposed regulations are adopted, the public charge test could be applied to:

- Nonemergency Medicaid, including in California, In Home Supportive Services (IHSS) and Medi-Cal funded Regional Center Services;
- Public Housing, Section 8 housing vouchers, and Project-Based Section 8;
- Supplemental Nutrition Assistance Program (SNAP); and
- Low-income subsidy (LIS) for prescription drug costs under Medicare Part D.



This means that people who may need any of these benefits may be turned away. It will also make immigrants and their families afraid to seek the healthcare and services they need to live and thrive.

## Would anyone be protected if the public charge rules change?

Certain immigrants—such as refugees, people seeking asylum, survivors of domestic violence, and other protected groups—are not subject to “public charge” determinations and would not be affected by this proposed rule if they seek status or a green card. Public charge is also not a consideration when lawful permanent residents (green card holders) apply to become U.S. citizens.

The rules are different for people who are not in the United States, and those rules will likely be revised if the proposed changes become final.

## Certain benefits are not part of the proposed changes and include:

- Emergency Medi-Cal;
- Services or benefits funded by Medi-Cal but provided under the Individuals with Disabilities Education Act (IDEA);

- Medi-Cal received by children who would automatically become a citizen under certain laws;
- Medi-Cal or other benefits received by persons enlisted in the armed forces (active duty or in reserves) and their spouses/children.

## What can I do to make my voice heard?

The public has until **December 10, 2018** -- to submit comments. You can make your voice heard by submitting comments through: [Protectingimmigrantfamilies.org](https://protectingimmigrantfamilies.org).

## Resources

- National Immigration Law Center:  
<https://www.nilc.org>
- Protecting Immigrant Families:  
<https://protectingimmigrantfamilies.org/>
- National Immigration Legal Services Directory:  
[www.immigrationadvocates.org/nonprofit/legaldirectory/](http://www.immigrationadvocates.org/nonprofit/legaldirectory/).

# **CALFRESH BENEFITS EXPANSION**






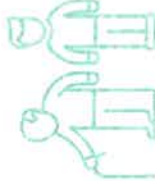
# CalFresh Food & the End of SSI Cash-Out

## What does this mean?

**SSI RECIPIENTS MAY ALSO RECEIVE CALFRESH FOOD BENEFITS ON AN EBT CARD BEGINNING SUMMER 2019!**

- **SSI benefits will NOT be reduced or eliminated** because of this change. CAPI benefits will increase \$10 per person per month for equity with SSI/SSP.
- **Most SSI recipients will need to apply for CalFresh** – either on the phone, on-line, or in person at their county social services office.
- **Excluded SSI members of current CalFresh households DO NOT need to apply:** SSI members will be added to existing CalFresh households at the next semi-annual or annual report after implementation; or the household can make a voluntary request to add the SSI member any time after implementation.

## SUMMARY OF CHANGES

 <p><b>Newly Eligible for CalFresh Food Benefits</b></p>	<p><b>Most SSI recipients and couples living on their own, will be newly eligible for CalFresh.</b> If approved, you will receive an EBT card with CalFresh food benefits loaded monthly. Average food benefits for a household of one is <i>estimated</i> to be \$130 per month.</p>	 <p><b>Still Eligible for CalFresh, Less Food Benefits</b></p> <p>If adding the SSI recipient reduces a household's CalFresh food benefits, they will be eligible to receive a state-funded nutrition benefit called the <b>Supplemental Nutrition Benefit (SNB)</b> on their existing EBT card.</p>	 <p><b>Ineligible for CalFresh Food Benefits</b></p> <p>If adding the SSI recipient leads to a total loss of CalFresh food benefits, they will be eligible to receive a state-funded nutrition benefit called the <b>Transitional Nutrition Benefit (TNB)</b> on their existing EBT card.</p>
 <p><b>Still Eligible for CalFresh, More Food Benefits</b></p> <p>If adding the SSI recipient increases a household's CalFresh food benefits, they will simply receive more CalFresh food benefits on their existing EBT card.</p>			

Get updates here: <http://www.cdss.ca.gov/CalFreshSSI>

Need more information? Send questions here: [CalFreshSSI@dss.ca.gov](mailto:CalFreshSSI@dss.ca.gov)

# **COMMITTEE REPORTS**



## **Executive Committee Meeting Minutes November 5, 2018**

### **Attending Members**

Catherine Blakemore  
Charles Nutt (SA)  
Janelle Lewis (FA)  
Maria Marquez (SA)  
Robert Taylor (SA)  
Sandra Smith (FA)  
Stephen Bell (FA)  
Wesley Witherspoon (SA)

### **Members Absent**

Kilolo Brodie (FA)

### **Others Attending**

Aaron Carruthers  
Adam Lewis  
Doug Sale  
Jackie Nguyen (FA)  
Rihana Ahmad

#### **1. CALL TO ORDER**

Chairperson Charles Nutt (SA) called the meeting to order at 12:40 PM.

#### **2. ESTABLISH QUORUM**

A quorum was established.

#### **3. WELCOME/INTRODUCTIONS**

Members and others introduced themselves as indicated.

#### **4. PUBLIC COMMENTS**

There were no public comments.

#### **5. APPROVAL OF THE OCTOBER 2018 MEETING MINUTES**

It was moved/seconded (Smith [FA]/Witherspoon [SA]) and carried to adopt the October 2, 2018 meeting minutes. (Unanimous)

#### **6. SCDD BUDGET UPDATE**

Executive Director Aaron Carruthers presented the year to date expenditures through September 2018.

## 7. SPONSORSHIP REQUESTS

Committee members reviewed requests from:

- Contra Costa Health Services: \$999.00
- Desert Ability Center: \$999.00
- Developmental Disabilities Provider Network: \$999.00
- Project Runway: \$999.00

Committee member Stephen Bell, raised a question about whether staff had confirmed if the funds were still needed. He pointed out that the budgets provided with the requests showed that all funds may not be needed. Deputy Director of Administration Doug Sale explained that staff will check with sponsorship applicants to see if funds are still needed prior to awarding the sponsorships.

It was moved/seconded (Witherspoon [SA]/Aldana [SA]) and carried to fund all four sponsorship requests. (For: Lewis, Marquez, Nutt, Smith, Taylor, Witherspoon; Opposed: Bell)

## 8. COUNCIL POLICIES

### A. Sponsorship Policy

The Committee reviewed the proposed changes to the Sponsorship Policy on page 58 of the packet. Following discussion on the proposed changes as well as the funding threshold the Committee took the following action.

It was moved/seconded (Lewis [FA]/Marquez [SA]) and carried to accept the proposed changes to the Sponsorship Policy and move the policy to the Council for approval. (Unanimous)

### B. Service Rotation Policy

The Committee reviewed the Membership Committee's August 28, 2018 detail sheet which outlined ways to address former Councilmembers that apply to serve on local Regional Advisory Committee's immediately following their expiration in a Council seat. The Membership Committee acted to recommend option 1 which states that former Council members may be appointed to their local RAC/SDAC immediately after expiring off the Council provided that the member applies and is appointed by the Membership Committee.

It was moved/seconded (Lewis [FA]/Smith [FA]) and carried to move the Membership Committee's recommendation to allow former Council members to be appointed to their local RAC/SDAC immediately after expiring off the Council provided that the member applies and is appointed by the Membership Committee to the Council for consideration. (Unanimous)

#### **C. Recommendation for Program Development Grant Amount**

The Committee reviewed the funds available and provided the below allocation recommendation based on available funds for the Cycle 42 Program Grant.

It was moved/seconded (Bell [FA]/Marquez [SA]) and carried to allocate statewide funding for \$260,000 for Grant Cycle 42, with the caveat to look at the budget and approve an increased amount. (For: Bell, Lewis, Marquez, Nutt, Smith, Taylor, Witherspoon; Abstain: Blakemore)

#### **D. Councilmember Administrative Policies**

Committee members discussed the Legal Consultation Policy and it was recommended staff submit revised language of the policy to the Executive Committee.

It was moved/seconded (Smith [FA]/Witherspoon [SA]) to move the Driving policy to the Council. **MOTION FAILED** (Against: Unanimous)

It was moved/seconded (Lewis [FA]/Smith [FA]) and carried to move the Honoraria policy to the full Council for approval with recommended changes. (Unanimous)

It was moved/seconded (Witherspoon [SA]/Marquez [SA]) and carried to move the Conference Attendance policy to the full Council for approval with recommended changes. (Unanimous)

It was moved/seconded (Smith [FA]/Marquez [SA]) and carried to move the Travel Out of State policy to the full Council for approval. (Unanimous)



It was moved/seconded (Marquez [SA]/Smith [FA]) and carried to move the Facilitation/Attendant policy to the full Council for approval. (Unanimous)

It was moved/seconded (Smith [FA]/Marquez [SA]) and carried to move the Tablet policy to the full Council for approval. (For: Bell, Marquez, Nutt, Smith, Taylor, Witherspoon; Abstain: Lewis)

It was moved/seconded (Smith [FA]/Taylor [SA]) and carried to move policies: 1-220, 1-232, 1-224, 1-236, 1-238, 1-238.1, 1-240, 1-242, and 1-520 to the full Council for approval. (Unanimous)

**9. ESTABLISH 2019 MEETING DATES**

The Committee established the following meeting dates for 2019: February 12<sup>th</sup>, April 23<sup>rd</sup>, June 18<sup>th</sup>, August 6<sup>th</sup>, October 29<sup>th</sup>.

**10. CLOSED SESSION – PERSONNEL**

Entered into closed session.

**11. RECONVENE OPEN SESSION**

No reportable action taken.

**12. NEXT MEETING DATE & ADJOURNMENT**

The next Executive Committee meeting will be held on February 12, 2019. Meeting adjourned at 4:00PM.



**DRAFT**

**Administrative Committee Meeting Minutes  
October 17, 2018**

**Attending Members**

Charles Nutt (SA)  
Eric Gelber  
Maria Marquez (SA)  
Pete Sanchez (FA)  
Francis Lau (FA)

**Members Absent**

Kris Kent  
Jackie Nguyen (FA)

**Others Attending**

Aaron Carruthers  
Doug Sale  
Sandra Smith (FA)  
Rihana Ahmad

**1. CALL TO ORDER**

Meeting was called to order at 9:06 AM.

It was moved/seconded (Nutt[SA]/Lau [FA]) and carried to establish Maria Marquez (SA) as interim Committee Chair in the absence of Committee Chair Jackie Nguyen

**2. ESTABLISH QUORUM**

A quorum was established.

**3. WELCOME/INTRODUCTIONS**

Members and others in attendance introduced themselves.

**4. APPROVAL OF THE JULY 18 2018 MEETING MINUTES**

It was recommended to add (SA) after Sandra Aldana's name in the attendance section and to include her comments made during the public comment section.

It was moved/seconded (Nutt[SA]/Gelber) and carried to adopt the meeting minutes with corrections. (Unanimous)

**5. PUBLIC COMMENTS**

There were no public comments.

## 6. SPONSORSHIP POLICY

The Committee reviewed the proposed changes to the Sponsorship Policy on page 10 of the packet. Following discussion on the proposed changes as well as the funding threshold the Committee took the following actions.

It was moved/seconded (Nutt[SA]/Lau [FA]) and carried to accept the proposed changes to the Sponsorship Policy and move the Policy to the Executive Committee for consideration before moving forward to the full Council. (Unanimous)

It was moved/seconded (Nutt[SA]/Lau [FA]) and carried to recommend increasing the Sponsorship funding threshold to \$1,500 to the Executive Committee for consideration before moving forward to the full Council. (Unanimous)

## 7. SERVICE ROTATION POLICY

The Committee reviewed the Membership Committee's August 28, 2018 detail sheet which outlined ways to address former Councilmembers that apply to serve on local Regional Advisory Committee's immediately following their expiration in a Council seat. The Membership Committee acted to recommend option 1 which states that former Council members may be appointed to their local RAC/SDAC immediately after expiring off the Council provided that the member applies and is appointed by the Membership Committee.

It was moved/seconded (Nutt[SA]/Lau [FA]) and carried to move the Membership Committee's recommendation to allow former Council members to be appointed to their local RAC/SDAC immediately after expiring off the Council provided that the member applies and is appointed by the Membership Committee to the Executive Committee for consideration. (Unanimous)

## 8. POLICIES AND PROCEDURES SUBCOMMITTEE MEETING MINUTES

A copy of the latest draft of the Policies and Procedures Subcommittee minutes were provided in the packet.

## 9. COUNCILMEMBER ADMINISTRATIVE POLICIES

It was moved/seconded (Nutt [SA]/Lau [FA]) and carried to move the Legal Consultation policy with edits to the Executive Committee for consideration before moving to the full Council. (Unanimous)

It was moved/seconded (Nutt [SA]/Gelber) and carried to move the Restrictions on Political Activities policy to the Executive Committee for consideration before moving to the full Council. (Unanimous)

It was moved/seconded (Nutt [SA]/Lau [FA]) and carried to move the Driving policy to the Executive Committee for consideration before moving to the full Council. (Unanimous)

It was moved/seconded (Nutt [SA]/Lau [FA]) and carried to move the Driving policy to the Executive Committee for consideration before moving to the full Council. (Unanimous)

It was moved/seconded (Nutt [SA]/ Lau [FA]) and carried to move the Honoraria policy to the Executive Committee for consideration before moving to the full Council. (Unanimous)

It was moved/seconded (Nutt [SA]/ Lau [FA]) and carried to move the Conference Attendance policy to the Executive Committee for consideration before moving to the full Council. (Unanimous)

It was moved/seconded (Nutt [SA]/ Lau [FA]) and carried to move the Travel Out of State policy to the Executive Committee for consideration before moving to the full Council. (Unanimous)

It was moved/seconded (Nutt [SA]/ Lau [FA]) and carried to move the Facilitation/Attendant policy with recommended changes to the Executive Committee for consideration before moving to the full Council. (Unanimous)

## 10. RECOMMENDATION FOR PROGRAM DEVELOPMENT GRANT AMOUNT

The Committee reviewed the funds available and provided the allocation recommendation based on available funds for this year's Cycle 42 Program Grant.

It was moved/seconded (Nutt [SA]/) and carried to recommend the Executive Committee to allocate statewide funding for \$260,000 for Grant Cycle 42.

**11. SCDD BUDGET UPDATE**

The Committee was provided the most current budget expenditures as well as budget line item descriptions.

**12. ADJOURNMENT**

The meeting was adjourned at 12:15 PM.



**DRAFT**  
**Legislative and Public Policy Committee**  
**Meeting Minutes**  
**October 22, 2018**

**Attending Members**

Janelle Lewis  
Evelyn Abouhassan  
Diane Ambrose (FA)  
Matthew Lagrand (SA)  
Andrea Vergne (FA)  
Julie Austin (FA)  
Connie Lapin (FA)  
Wesley Witherspoon (SA)

**Members Absent**

None

**Others Attending**

Vicki Smith  
Cindy Smith  
Karen Mulvany  
Robin Maitino  
Leah Hollis

**1. CALL TO ORDER**

Chairperson Janelle Lewis called the meeting to order at 10:36 AM.

**2. ESTABLISH QUORUM**

A quorum was established.

**3. WELCOME/INTRODUCTIONS**

Each member introduced themselves.

**4. PUBLIC COMMENTS**

None.

**5. APPROVAL OF THE AUGUST 2018 MEETING MINUTES**

It was moved/seconded (Lapin [FA]/Witherspoon [SA]) and carried to adopt the August 13, 2018 meeting minutes as amended. (Unanimous, see attending members for voting record)

**Amendment**

Correct the spelling of Karen Mulvany's name in "Other's Attending" column on page one.

**6. FEDERAL LEGISLATIVE AND REGULATORY UPDATES**

Deputy Director Cindy Smith provided brief updates on federal legislative and regulatory issues which included funding as well as the HCBS Settings Rule implementation and WIOA.

**7. UPDATE ON SELECT COMMITTEE ON INTELLECTUAL & DEVELOPMENTAL DISABILITIES**

Deputy Director Cindy Smith gave a brief overview of the Select Committee's purpose and status and announced that she had attended the town hall meetings across California. Three were scheduled: the first was in Sacramento in August, the second was in Fresno on October 16<sup>th</sup> and the third is scheduled for October 24<sup>th</sup> in Concord.

**8. UPDATES TO THE LEGISLATIVE PLATFORM**

Committee members reviewed and provided feedback and updates on each section of the Platform. Following their review, the Committee acted to move the Platform on to the Council for consideration.

It was moved/seconded (Vergne [FA]/Witherspoon [SA]) and carried to move the Legislative Platform to the Council as amended. (Unanimous, see members attending for a voting record).

**9. STATE LEGISLATIVE SESSION 2018**

Deputy Director Cindy Smith presented the final 2018 bill summary chart to Committee members for review. The list of bills and SCDD's position will be used as a starting place for next legislative session.

**10. LEGISLATIVE STRATEGY FOR 2019-20 BASED ON STRATEGIC PLANNING**

Deputy Director Vicki Smith presented the 2019-21 Draft Work Plan to Committee Members stating that Regional Managers met on September 19<sup>th</sup> and developed the workplan based on input received from this and other Committees/stakeholders. Committee members discussed different goals and objectives and where the focus should be when considering sponsoring legislation. The Committee will continue to support/oppose legislation as they have in the past. However, the Committee will only sponsor one bill this session. Therefore, members wanted to ensure that whatever legislation they consider sponsoring, it would have the most impact on the DD system. Suggestions included: Oversight of the Self-Determination program, and legislation that would continue civil rights

protections and policies in California should they change at the federal level, and affordable housing.

The Committee requested that staff do some research on what it would take to sponsor legislation federal policies continue in California and creating an oversight group for the Self-Determination Program.

**11. UPDATES AND STANDING AGENDA ITEMS**

Members provided updates on the Cal Fresh SSI Cash-out, the Lanterman Housing Alliance Draft Statewide Strategic Framework, the Self-Determination Program, CalABLE, the DDS Safety Net and the funding from DC Properties.

**12. MEMBER UPDATES**

Members provided brief updates of local activities taking place in their areas.

**13. FUTURE MEETING DATES**

January 9<sup>th</sup>, March 7<sup>th</sup>, May 1-2 or 8-9, and September 11<sup>th</sup>

**14. ADJOURNMENT**

Meeting at adjourned at 3:02 PM

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Legend:

SA = Self-Advocate

FA = Family Advocate

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**DRAFT**  
**Employment First Committee**  
**Meeting Minutes**  
**October 9, 2018**

**Attending Members**

Michael Clay (DDS)  
Wesley Witherspoon (SA)  
Olivia Raynor (UCLA)  
Steve Ruder (UCD)  
Barbara Boyd (CDE)  
Sarah Issacs (DRC)

**Members Absent**

Larry Yin (USC)  
Cindy Chiu (DOR)

**Others Attending**

Cindy Smith  
Robin Maitino  
Vicki Smith  
Janelle Lewis  
EDD Folks

**1. CALL TO ORDER**

Chairperson Wesley Witherspoon (SA) called the meeting to order at 10:30 AM.

**2. ESTABLISH QUORUM**

A quorum was established.

**3. WELCOME/INTRODUCTIONS**

Members and others introduced themselves as indicated.

**4. PUBLIC COMMENTS**

None.

**5. APPROVAL OF THE MARCH 2018 MEETING MINUTES**

It was moved/seconded (Isaacs/Clay) and carried to approve the October 9, 2018 meeting minutes as amended. (Ruder: Abstain)

**Amendment(s)**

Page 3 of the minutes under # 11., changes priorities to read as follows:

- ◆ Increase competitive integrated employment (CIE) vendor capacity and business models

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Legend:  
SA = Self-Advocate  
FA = Family Advocate

Page 1

- Bring individual and family advocates to the table for discussion on how to implement CIE to reflect the diversity of the state.
- Local Partnership Agreement (LPA) development and implementation

## **6. FEDERAL LEGISLATIVE AND REGULATORY UPDATE**

Deputy Director Cindy Smith provided members with updates on HCBS, Employment, and Education.

## **7. PARTNERING WITH LEGISLATIVE AND PUBLIC POLICY COMMITTEE (LPPC) IN 2019-2020**

LPPC Chair, Janelle Lewis provided an update to members on what LPPC is currently working on and ways the EFC and LPPC can collaborate. Chair Lewis stated that the Committee had recently recommended that Goal 1, 3, and 6 be the priorities for the next two-years but wanted to ensure EFC members that this would not diminish their work on Employment First.

## **8. UPDATE AND DISCUSSION ON DATA SHARING LEGISLATION IMPLEMENTATION**

Committee member Michael Clay provided a brief update on the status of the next steps on data sharing implementation stating that the agreement is tentatively scheduled to be presented in February 2019. Committee member Clay also reported that with the signing of an interagency agreement the data should be received in a much easier way.

## **9. UPDATE ON CIE BLUEPRINT IMPLEMENTATION**

Committee members Michael Clay and Barbara Boyd provided updates on the CIE Blueprint Implementation stating that all the LEA's now have signed assurances. Committee member Boyd also announced the upcoming Communities of Practice Conference on November 5-8, stating that the conference will be focusing on transition. One group specifically will focus on the Transition Partnership Program vs. the Workability Program. Committee member Boyd said she would bring more information back to the Committee.

## **10. GOALS & PRIORITIES TRACKING CHART FOR THE EMPLOYMENT FIRST POLICY IMPLEMENTATION**

Deputy Director Cindy Smith requested that members complete their Department/Agencies activities which have been accomplished on the

worksheet. She would then have staff update and bring to the next Committee meeting.

**11. UPDATE ON IMPLEMENTING EFC's STRATEGIC PRIORITIES RELATED TO SCDD'S STATE PLAN GOAL ON EMPLOYMENT**

Deputy Director Vicki Smith presented the 2019-21 Draft Work Plan to Committee Members. Regional Managers met on September 19<sup>th</sup> and developed the workplan based on input received from this and other Committees. A full version of the Workplan can be found at [www.scdd.ca.gov](http://www.scdd.ca.gov).

**12. PRESENTATION FROM THE CALIFORNIA WORKFORCE BOARD**

Bethany Renfree and Sandra Hamameh from the California Workforce Development Board (CWFB) provided an overview to the Committee on the different programs within the board. They talked about their WIOA programs; provided a snapshot of the 14 labor regions, provided an overview of the CWDB state plan as well as an overview of America's Job Center of California (AJCC) and the Uniquely Abled Academy in Glendale.

Members found the presentation very informative and were interested to learn more about the success rate of Uniquely Abled Academy project in Glendale for individuals with Autism.

**13. DISCUSSION OF 2018 EMPLOYMENT FIRST REPORT FOCUS**

Members started the discussion of what 2018 achievements to focus on for the 2018 Report to the Legislature. Themes/ideas discussed included:

- Featuring stories
- Having it be CIE results driven
- Focusing on challenges to employment (feeling left behind)
- How to make persons with I/DD part of the workforce

**14. ADJOURNMENT**

Meeting at adjourned at 2:50 PM.



**DRAFT**

**Statewide Self-Determination Advisory Committee  
Meeting Minutes  
October 16, 2018**

**Attending Members**

Maria Marquez (Chair)  
Rhys Burchill (OCRC)  
Joyce Clark (SDRC)  
Lisa Cooley (ACRC)  
Ronda Dever (FNRC)  
Jordan Feinstock (NACRC)  
Cheryl Hewitt (SARC)  
Vi Ibarra (RCEB)  
Sherry Johnson (SCLARC)  
Sonia Jones (NBRC)  
Miriam Kang (HRC)  
Claire Lazaro (VMRC)  
Louise MacKenzie (TCRC)  
Judy Mark (WRC)  
Sascha Bittner (GGRC)  
Virgilio Orlina (ELARC)  
Robert Taylor (RCRC)  
Michelle Wolf (FDLRC)  
Rick Wood (KRC)

**Members Absent**

Michelle Williams (CVRC)  
Maia Pawooskar (IRC)

**Others Attending**

Aaron Carruthers  
Jennifer Parsons  
Chris Arroyo  
Mary Ellen Stives  
Scarlett VonThenen  
Tamica Foots-Rachal  
Pierre Landry

**Others Attending (continued)**

Riana Hardin  
Robin Maitino  
Sarah May  
Susan Crow  
Connie Lapin  
Harvey Lapin  
Elizabeth Diaz  
Dave Garvano  
Shelly Wright  
Lara Larson  
Melissa Guelle  
Valerie Buell  
Kaycee Martinez  
Grace Rudolph  
Kaitlin Binnewies  
Esteban Vasquez  
Gina De La O

**1. CALL TO ORDER**

Chairperson Maria Marquez (SA) called the meeting to order at 2:04 PM.

**2. ESTABLISH QUORUM**

A quorum was established.

**3. WELCOME/INTRODUCTIONS**

Members and others introduced themselves as indicated.

#### 4. PUBLIC COMMENTS

None.

#### 5. APPROVAL OF THE MARCH 2018 MEETING MINUTES

It was moved/seconded (Cooley/Orlina) and carried to approve the July 2018 meeting minutes as presented. (See last page for a voting record)

#### 6. IMPLEMENTATION UPDATES

Jennifer Parsons from the Department of Developmental Services (DDS) provided updates on the following:

##### Participant Selection

Ms. Parsons reported that 9,000 were on the list at the time of the selection. Names were randomly selected at one time. Individuals on the list received letters notifying them on whether or not they were selected. Additionally, an individual can go to DDS' website at <https://www.dds.ca.gov/SDP/> to see if they were selected. Ms. Parsons stated that folks enrolled in the pilot program are automatically grandfathered in. She also stated that the list is open and people can continue to add their name to the list. If a person drops out of the program, another name will be selected, so theoretically people still have an opportunity to be selected.

##### Setting Assessments

Ms. Parsons thanked everyone for their feedback on the compliance process. DDS' workgroup is currently ensuring that all input is addressed through the workgroup. All services must be federally reimbursable; a list of reimbursable services is available on the DDS website.

##### Independent Facilitator

Ms. Parsons reported that the DDS Statewide Workgroup has provided significant input on the guidelines which are currently under the review for approval. The duties of an Independent Facilitator are outlined in statute and will be included in the guidelines. Also included in the guidelines will be services that can be provided and what to do if someone wants to be an Independent Facilitator. In response to a question asked, Ms. Parsons stated that parents of an adult child can be Independent Facilitators and that DDS was considering the possibility of posting some kind of training document or Q&A.

### Financial Management Services (FMS)

Ms. Parsons reported that the FMS document was put together with the DDS Workgroup and that the document still has more work to be done and will be finalized shortly. The Workgroup does have the responsibilities figured out (e.g., background checks, etc.).

On September 24<sup>th</sup> DDS released information on rates with brief descriptions for each of the models. Depending on the number of services, rates for the three models would be: bill payers rate model, which has a maximum of \$50-\$100 per month; the sole employer rate model which is a maximum of \$110-\$150 per month; and the co employer rate model which is a maximum of \$125-\$165 per month. Ms. Parsons reminded everyone that FMS is the only required service in Self-Determination.

DDS will be releasing a list of vendors at a future date

### Budget Development

DDS is working with a subgroup to write a guidance document. The subgroup will be breaking the budget development guidance into categories to make it easier to understand. For example, one part will define budget development while another part of document will talk about how to build your budget. Ms. Parsons also clarified the difference between an expense budget and an individual budget stating that an individual budget amount is for the last 12 months of purchases while an expense budget is by each line item.

### Orientation Materials

Under this category, Ms. Parsons provided information on both train the trainer and orientation materials. Dates for train the trainer are as follows: November 14, 16, 26, 27, and 29 with locations yet to be announced. Each training is a one day training. DDS is currently in the process of putting together speakers and presenters. The Orientation Material's subgroup is currently working on using feedback provided by SSDAC in July to complete their materials.

Following Ms. Parson's update, Judy Mark from Westside Regional Center offered to put together a group of volunteers who have graphic skills to improve the presentation layout.



Throughout the updates members voiced their frustration with both the meeting logistics and the way updates were given. Some members felt that the selection letters were poorly written while others felt not enough information was being made available or was not written clearly.

**7. NEXT MEETING**

The next meeting will be held sometime in February in Southern California.

**8. ADJOURN**

Before adjourning, Executive Director Aaron Carruthers addressed the Committee stating that he heard the concerns voiced during the meeting regarding lack of information being provided, logistic complications and overall frustrations with the meeting structure. He assured the Committee he would be researching better technology for future teleconferences as well as other ways of improving meeting structure.

The meeting was adjourned at 4:37 PM.



**DRAFT**

**Nominating Committee Meeting Minutes  
October 29, 2018**

**Attending Members**

Janelle Lewis (FA)  
Jeana Eriksen (SA)  
Stephen Bell (FA)

**Members Absent**

Robin Hansen

**Others Attending**

Aaron Carruthers  
Rihana Ahmad  
Sandra Aldana (SA)

**1. CALL TO ORDER**

Committee Chair Janelle Lewis (FA) called the meeting to order at 10:10 a.m.

**2. ESTABLISH QUORUM**

A quorum was established.

**3. WELCOME/INTRODUCTIONS**

Committee members and others introduced themselves.

**4. PUBLIC COMMENTS**

There were no public comments.

**5. ESTABLISH SLATE OF NOMINEES FOR ELECTION OF  
CHAIR AND VICE-CHAIR**

Chair Lewis (FA) reached out to family and self-advocates inviting nominations from those interested in being either chair and/or vice-chair for a two year term beginning in 2019. She received interest as follows in alphabetic order:

**Council Chair**

Jeana Eriksen (SA)  
Sandra Smith (FA)

**Council Vice-Chair**

Jeana Eriksen (SA)  
Charles Nutt (SA)



The Committee took the following actions to 1) accept and put forth these nominees to the full Council; and 2) provide suggested topics to include in their candidate statements.

### **Action 1**

It was moved/seconded (Bell [FA]/Lewis [FA]) and carried to accept the nomination slate of Jeana Eriksen (SA) and Sandra Smith (FA) for Chair of the Council, and Jeana Eriksen (SA) and Charles Nutt (SA) as Vice-Chair of the Council. (Unanimous)

### **Guidelines**

The Committee agreed that candidates are to be given the opportunity to present a statement to the full Council regarding their experience, qualifications, and desire to being elected as a Chair or Vice-Chair. It was determined that all candidates will have 3 minutes to present an oral statement of qualifications in front of the full Council. Reasonable accommodations will be given if requested. It was also determined that each candidate may submit a one-page statement addressing two questions: (1) Why would you like to serve? (2) What are your priorities? Committee Chair Lewis also mentioned that there will be the opportunity for nominations to be made at the November Council meeting.

## **6. ADJOURN**

Committee Chair Lewis (FA) adjourned the meeting at 10:16 a.m.

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# **2019 MEETING DATES**

**2019 Meeting Dates**

Month	Self-Advocates Advisory Committee	Council Meeting	Location
January	14	15	Hilton Sacramento Arden West 2200 Harvard Street, Sacramento, CA 95815
March	11	12	Hilton Sacramento Arden West 2200 Harvard Street, Sacramento, CA 95815
May	20	21	Crowne Plaza Hotel 5321 Date Ave., Sacramento, CA 95841
July	15	16	Hilton Sacramento Arden West 2200 Harvard Street, Sacramento, CA 95815
September	16	17	Hilton Sacramento Arden West 2200 Harvard Street, Sacramento, CA 95815
November	13	14	Crowne Plaza Hotel 5321 Date Ave., Sacramento, CA 95841